

Comhairle Chontae Atha Cliath Theas

PR/0065/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0520 **Application Date:** 08-Oct-2021
Submission Type: Additional **Registration Date:** 14-Dec-2021
Information

Correspondence Name and Address: Jason Walsh 12, Ard Mor Crescent, Tallaght, Dublin
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Proposed Development: Single storey family flat side extension and all
associated site works.

Location: 18, Verschoyle Close, Saggart Abbey, Saggart, Co.
Dublin

Applicant Name: Louise Madden

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.0269 hectares

Site Description:

The application site contains a two storey, semi-detached house, located on Verschoyle Close in a cul-de-sac of similar dwellings. The surrounding area is residential in nature.

Proposal:

Permission is sought for the following:

- Single storey **family flat** side extension (39sq.m) and all associated site works.

Zoning:

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*.

Consultations:

Surface Water Drainage – No objection, conditions recommended

Irish Water – No objection, conditions recommended

Submissions/Observations /Representations

Submission expiry date – 11/11/2021

No submissions or observations were received.

Relevant Planning History

None recorded for subject site.

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Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

Relevant Policy in South Dublin County Council Development Plan 2016-2022

Section 2.4.2 Family Flats

Policy H19 Family Flats

It is the policy of the Council to support family flat development subject to the protection of residential and visual amenities.

H19 Objective 1

To favourably consider family flat development where the Council is satisfied that there is a valid need for semi-independent accommodation for an immediate family member (such as an older parent or other dependent), subject to the design criteria outlined in Chapter 11 Implementation.

Section 11.3.3 Additional Accommodation

(i) Extensions

*The design of residential extensions should accord with the **South Dublin County Council House Extension Design Guide (2010)** or any superseding standards*

Rear extensions

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Make sure enough rear garden is retained*

(ii) Family Flat

A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of a dwelling). A family flat is not considered to represent an independent dwelling unit and as such open space and car parking standards are not independently assessed. Proposals for family flat extensions should meet the following criteria:

- *The applicant shall be required to demonstrate that there is a genuine need for the family flat,*
- *The overall area of a family flat should not exceed 50% of the floor area of the main dwelling house,*
- *The family flat should be directly accessible from the main dwelling via an internal access door, and*
- *The design criteria for dwelling extensions will be applied.*

Relevant Government Guidelines

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

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Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Residential and Visual Amenity
- Services, Drainage and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*. Residential development is 'Permitted in Principle' under this zoning objective.

Residential and Visual Amenity

The proposal is for a **family flat** (single storey, flat roof, side extension) (39sq.m). The family flat would be accessed off the main properties kitchen and would comprise a bedroom, lounge and wet room. No other alterations are noted from the drawings.

The living room and bedroom would be approximately 17sq.m and 14sq.m respectively, in excess of the standards required in the Development Plan. The only natural light to the living room would be from a large skylight meaning this room would have no aspect. There is a concern that in winter months particularly this would not be a very pleasant room to spend significant amounts of time. In addition, the *Quality Housing for Sustainable Communities* (2007) recommend a minimum living room width of 3.3m. The lounge would narrow to a point of 2.3m from 3.315m and therefore would not meet this requirement. The bedroom would have a window looking out over the rear garden and would provide the main access to the family flat, from the main house's kitchen. A wet room would be located at the front of the extension, set back from the front building line of the main dwelling. The layout and space provision of the family flat is not considered to be adequate to provide quality residential amenity. The applicant should be requested to revise the internal layout so that both the bedroom and living room have direct natural light and aspect. The applicant should be requested to submit revised plans as **additional information**.

Policy H19, Objective H19 1 and Section 11.3.3(ii) of the Development Plan state family flat extensions are to be favourably considered subject to it being demonstrated that there is a genuine need to provide such accommodation. The applicant has not provided any information regarding the requirement for the family flat and therefore the application cannot be assessed against the necessary criteria. The applicant should be requested to submit **additional information** detailing the requirement for the proposed family flat.

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Drawings state that a rear garden of 61sq.m would be retained. Measurements from drawings suggest the retained garden area would be approximately 56sq.m. This is considered acceptable.

Services, Drainage and the Environment

Water Services and Irish Water have reviewed the application and have stated no objection subject to standard **conditions** relating to the inclusion of water butts as part of Sustainable Urban Drainage Systems (SUDS) and compliance with Irish Water Standard Details & Codes of Practice.

It is considered reasonable to include the recommended **conditions** in the event of a grant of permission.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 sites, it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Other considerations

SEA Monitoring Information

SEA Monitoring Information	
Building Use Type Proposed	Family Flat Extension
Floor Area (sqm)	39sq.m
Land Type	Brownfield
Site Area	0.0269 ha

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the 'RES' land-use zoning of the area, it is considered that in principle a family flat extension would be acceptable at this location, subject to the submission of necessary information under Section 11.3.3 (ii) of the Development Plan in relation to the need for the proposed extension and a revised layout to ensure adequate residential amenity for future residents.

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Recommendation

Request Further Information

Further Information

Further Information was requested on 02/12/2021

Further Information was received on 14/12/2021

Consultations

Water Services – No further consultation

Irish Water – No further consultation

Submissions/Observations

No further submissions/observations were received

Assessment

The applicant has submitted revised drawing, including plans and elevations and information in relation to the need for the proposed family flat as requested, along with a cover letter from the agent date stamped 14 December 2021.

Item 1 – Need for Family Flat

The applicant is requested to provide information as required by Policy H19 and Section 11.3.3 (ii) of the South Dublin County Development Plan 2016 - 2022, which states: 'The applicant shall be required to demonstrate that there is a genuine need for the family flat.'

The applicant's agent has submitted a covering letter stating that the applicant:

'is caring for her elderly mother and the proposed self-contained family flat at ground floor level with access from the main house is to cater for her needs.'

No other additional information has been provided. The provision of a family flat for elderly parents is considered acceptable. A condition should be attached to a grant of permission requiring the family flat reverts to use as part of the main dwelling once it is no longer needed.

Item 2 – Family Flat Layout

The applicant is requested to revise the layout of the proposed family flat to ensure that both habitable rooms receive adequate natural daylight and have a suitable aspect as well as relying on rooflights. The applicant is requested to submit revised drawings accordingly.

Assessment

Revised plans have been submitted altering the internal layout of the side family flat, relocating the living room to the rear of the property, accessed directly from the kitchen of the main

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dwelling. The bedroom has been moved to the front of the side family flat. Both habitable rooms are now served by windows and not just rooflights. This revised layout is considered acceptable and would provide a better standard of living for the future inhabitant.

A wet room is located in the centre of the family flat, accessed off the living room. This room is not served by a window or rooflight. To mitigate no natural ventilation from windows, this room must comply with building regulations on bathroom ventilation.

Based on the above, the revised plans are considered acceptable.

Conclusion

It is considered that, based on the above, permission should be granted for the proposed development, to be constructed in accordance with the plans submitted as part of the additional information request.

Other

Development Contributions

Existing extensions – 22sq.m rear kitchen extension

Application extension – 39sq.m family flat

Assessable area – 21sq.m (22+39-40)

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, and the scale of the proposed development, it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposed extension would be in compliance with Council policy in relation to extensions to dwelling houses.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 -

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2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 14/12/2021 and Unsolicited Further Information received on 22/12/2021, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Restrictions on Family Flat.
 - (a) The use of the family flat shall be restricted to a residential use only, directly associated with the use of the existing house on the site for such purposes and the family flat shall not be subdivided or separated from the main house. In particular, it shall not be sold, leased or let (including short-term letting) independently of the main house.
 - (b) The family flat extension shall revert to use as part of the main house when the development is no longer required for use as a family flat.REASON: To ensure that the family flat does not operate as an independent dwelling unit or for any commercial purpose, in the interest of residential amenity and the proper planning and sustainable development of the area.
3. Domestic Extension Requirements
 - (a) External Finishes.
All external finishes shall harmonise in colour or texture that is complementary to the house or its context.
REASON: In the interest of visual amenity.
 - (b) Drainage - Irish Water.
 - (i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
 - (iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

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(c) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(d) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South

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Dublin County Council Development Plan.

4. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2,194.29 (two thousand one hundred and ninety four euros and twenty nine cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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REG. REF. SD21B/0520

LOCATION: 18, Verschoyle Close, Saggart Abbey, Saggart, Co. Dublin

jjohnston

Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 19/1/22



Eoin Burke, Senior Planner