

Comhairle Chontae Atha Cliath Theas

PR/0077/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0575 **Application Date:** 12-Nov-2021
Submission Type: New Application **Registration Date:** 12-Nov-2021
Correspondence Name and Address: Michael Lamb, Ryan and Lamb Architects 41,
Baggot Street Lower, Dublin 2
Proposed Development: Erection of a single storey extension to the side of the house with a flat roof, sloped parapet wall and new rooflights; demolition of a single storey extension to the rear of the house and partial demolition of the boundary wall; new glazed patio doors to the rear courtyard garden; the addition of a new rooflight to the rear of the existing roof; the addition of a new retractable bollard to the driveway; all associated site works and services.
Location: 18, St Mary's Avenue, Rathfarnham, Dublin 14, D14X7P8
Applicant Name: Marie Conway
Application Type: Permission

(CM)

Description of Site and Surroundings:

Site Area
0.0134 Ha.

Site Description

This is an end-of-terrace two storey dwelling on a side street off Rathfarnham village. The site is within the Rathfarnham ACA and also adjoins a laneway to the east. The rear corner of the house is flush with the boundary, leaving a triangular yard to the side. To the rear, the house has a single-storey extension and a smaller triangular yard.

The house is brick clad at ground level with pebble dash above, and has a pitched roof. The house is north-west of the Yellow House public house in Rathfarnham village. The house currently has on-site parking and a wide vehicular access onto the street. The street is otherwise devoid of off-street parking and front gardens are too shallow for perpendicular parking.

Site visit: 22/12/21

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Proposal:

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- demolition of a single storey extension to the rear of the house and partial demolition of the boundary wall;
- new glazed patio doors to the rear courtyard garden; the addition of a new rooflight to the rear of the existing roof;
- the addition of a new retractable bollard to the driveway; and
- all associated site works and services.

Zoning:

'RES' – 'To protect and/or improve residential amenity.'

Consultations:

Water Services

Requests Additional Information.

Roads

Requests Additional Information.

SDCC Architectural Conservation Officer

SEA Screening

Located within the Rathfarnham ACA

Submissions/Observations /Representations

None.

Relevant Planning History

SD21B/0097 at 10 St. Mary's Avenue – Permission **granted** for construction of a 8.5sq.m first floor domestic extension above existing single storey extension; remodelling of rear elevation to existing extension at ground floor level; enlargement of existing window opening at ground floor level to side elevation of existing house facing onto laneway; proposed new window opening at first floor level to side elevation of existing house facing onto laneway; new roof light to new rear pitched roof; lengthening of boundary wall segment to side of house; reinstatement of gated access to side passage; relocation of rear garden access door from rear boundary wall to side boundary wall with laneway and all other landscaping and associated siteworks.

Relevant Enforcement History

None.

Pre-Planning Consultation

PP117/20

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Section 9.3.4 Non-Designated Areas

Policy HCL 15 Non-Designated Areas

Objective 3 – To protect existing trees, hedgerows and woodlands...

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

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

National Guidelines & Policy relevant to Development Management in SDCC

Ministerial Guidelines and Policy

Project Ireland 2040 National Planning Framework, Government of Ireland (2018).

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Rebuilding Ireland: Action Plan for Housing and Homelessness, Government of Ireland (2016).

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

Urban Design Manual, Department of the Environment, Heritage and Local Government, (2008).

Urban Development and Building Heights Guidelines for Planning Authorities, (2018)

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

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Departmental Circulars, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents
- PL08/2020: Vacant Site Levy

Circular NRUP 02/2021 - Residential Densities in Towns and Villages

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy;
- Residential amenity and visual impact;
- Architectural Conservation;
- Access and parking
- Water;
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning and Council Policy

The site is located in an area which is subject to zoning objective 'RES' – '*To protect and/or improve Residential Amenity*'. The development of an extension or alteration to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.3 which relates to extensions to dwellings.

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The site is located in the Rathfarnham Architectural Conservation Area. As per HCL Policy 4 it is the policy of the council to “to preserve and enhance the historic character and visual setting of [the area] and to carefully consider any proposals for development that would affect the special value of [the area].”

Residential Amenity and Visual Impact

The proposed single-storey side extension would have a flat roof with an uneven/pointed parapet. The apex of the parapet would be located away from the main house. The extension would extend sideways to the boundary with the laneway, creating a triangular kitchen space inside and a downstairs wc, each accessed separately off the existing hallway. It is also proposed to demolish the existing rear extension (where the current kitchen is located). The extension is considered to be of an acceptable scale. Though contemporary in design, it is single-storey and subordinate to the main dwelling, and located entirely behind the front building line of the dwelling. The extension would directly adjoin site boundary to the laneway, but this is not an unusual situation in laneways throughout the county and city area. The proposal is considered to be acceptable, subject to the comments of the Architectural Conservation Officer.

Architectural Conservation

The applicant has provided a detailed cover letter outlining their approach to the development. The SDCC Architectural Conservation Officer has provided the following comment:

The subject site is located within Rathfarnham Village/Willbrook ACA. A detailed cover letter has been submit by the project architect as part of the planning application and provides sufficient detail with regard to an architectural impact assessment. As the proposed extension is single-storey its scale is appropriate within the context of the site and will therefore not cause any material visual impact on the existing property or adjoining properties within the ACA. The extension is set back and will extend out to match the existing boundary line of the existing rear laneway.

I am satisfied that the proposed new extension is acceptable within the existing ACA. It should be noted that although details of the materials have been indicated on the drawings I would request that formal details of materials and colour finishes of render and windows etc to be submitted as part of a condition for agreement and approval to ensure that the final finishes and materials are detailed and agreed. In particular details of the rear roof light should be provided to include exact dimensions which will need to also be agreed prior to commencement.

It is considered that the proposed development is acceptable with the following conditions attached;

- Although details of the materials have been indicated on the drawings, it is considered that formal details of materials and colour finishes for all elements of*

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the proposed extension is required. A full schedule of Materials and Finishes should be submitted for written agreement and approval.

- *Details should be also included for the proposed rear roof light with regard to exact dimensions which will be required prior to commencement. The new roof light should be a conservation rooflight in order to reduce any visual impact."*

The proposed development is therefore considered to be acceptable subject to the above recommended conditions.

Access and Parking

The Roads Department has sought **additional information** and makes the following comment:

“It appears that there is insufficient space on the driveway, there should be a 6.0m distance between the front elevation and the front boundary.

It appears that the vehicular entrance has been previously widened beyond the maximum of 3.5m without planning permission.

Recommendation

It appears that there is insufficient space on the driveway to provide for a car parking space. There should be a 6.0m distance between the front elevation and the front boundary to provide for this. The applicant is requested to submit a revised proposal that provides for a 6.0m distance between the front elevation of the proposed dwelling and the front boundary of the site.”

The report also recommends standard conditions if a decision is made to grant permission.

The Roads Department is correct to note that the proposed extension is less than 6 metres from the site boundary (it is about 5 metres at its shortest point.). The context of the development is St. Mary's Avenue. This is a side street behind The Yellow House Pub and the subject site is the only property on this road that has space for a parked car within the site. It is also one of few sites on the street that has the potential to extend sideways. Parking on the street is generally on-street, restricted to the opposite side of the street, due to the narrow carriageway. Parking appears to overflow into the rear car park of the Yellow House, and at the end of the street where it turns a corner and becomes more of a country lane. The end of the street nearest the junction with the R115 Rathfarnham Road is also used for parking (along the side of the Yellow House pub).

The concern regarding inadequate parking space to the front is twofold: (1) that the parking space is lost, and demand for on-street parking increases, and (2) that cars would park on the driveway but also block the pavement, which is a particular concern for pedestrians with mobility or sight issues.

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The applicant shows a car of approx. 4.7 metres in the driveway on the proposed ground floor plans. This is approximately the length of a 'full-sized' car (example checked is an Audi A6 saloon). Larger SUVs or vans would not fit in the proposed driveway without overspilling onto the public footpath.

The proposed design is not an outcome that could be supported in new development. In the context of urban consolidation/infill development and the extension of an existing house, which is entirely behind the front building line of that house, it is considered reasonable in this instance that the proposed design is **permitted**, subject to a **condition** that parked cars would not overhang the pavement, and that the retractable bollard would be used when a vehicle is parked on the site.

Water

The Environmental Services Department has sought additional information as follows:

“The applicant has not submitted surface water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdublincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.

The application includes some details of drainage connections within the site, but not to the extent required by Environmental Services. The above should form the basis of a **condition 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.

Screening for 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

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assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Other

Development Contributions

Residential extension – 17.07sq.m

Existing rear extension of 5.1sq.m is proposed for demolition.

No other existing extensions.

Noting the 40sq.m allowance for domestic extensions, assessable area is **nil**.

SEA Monitoring

Building Use Type Proposed:

Residential extension

Floor Area:

12sq.m (net increase)

Land Type:

Brownfield/Urban Consolidation.

Site Area:

0.0134 Hectares.

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.

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 - 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.

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SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, 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. Architectural Conservation.
The applicant shall submit the following details and obtain the written agreement and approval of the Planning Authority prior to commencement of development, and in accordance with the requirements of the SDCC Architectural Conservation Officer:
 - (a) a full schedule of Materials and Finishes;
 - (b) Details for the proposed rear roof light with regard to exact dimensions. The new roof light should be a conservation rooflight in order to reduce any visual impact.REASON: to protect the Architectural integrity of the Architectural Conservation Area.
3. Roads.
 - (a) The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
 - (b) Vehicles parked in the driveway shall not overhang the public footpath.
 - (c) The retractable bollard shall be in use when a vehicle is parked in the driveway.REASON: To protect local residential amenity while facilitating the proposed development.
4. Surface Water.
Prior to commencement of development, the applicant shall submit for the written approval of the Planning Authority, a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdblincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.
REASON: in the interests of proper drainage.

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5. (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) Restriction on Use.

The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

REASON: To prevent unauthorised development.

(c) 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.

(d) 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.

(e) 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-

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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 Dublin County Council Development Plan.

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 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.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

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

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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REG. REF. SD21B/0575

LOCATION: 18, St Mary's Avenue, Rathfarnham, Dublin 14, D14X7P8

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: 17/1/22

Eoin Burke

Eoin Burke, Senior Planner