

# Comhairle Chontae Atha Cliath Theas

**PR/0038/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD21B/0580      **Application Date:** 16-Nov-2021  
**Submission Type:** New Application      **Registration Date:** 16-Nov-2021  
**Correspondence Name and Address:** Hugh O'Daly, H.K. O'Daly & Associates Kingswood,  
Naas Road, Clondalkin, Dublin 22  
**Proposed Development:** Retention of ground floor front extension to living  
room and porch.  
**Location:** 7, Tymonville Court, Tymon North, Dublin 24  
**Applicant Name:** Nieve Harding  
**Application Type:** Retention

(AOCM)

### **Description of Site and Surroundings:**

Site Area: stated as 0.018 hectares

#### Site Description:

The application site contains a two storey, end-of-terrace house, located on Tymonville Court in a row of similar dwellings. The surrounding area is residential in nature.

#### Site visited:

6 December 2022

### **Proposal:**

**Retention** permission is sought for the following:

- Single storey, hipped roof front extension to living room and porch (5.47sq.m)

### **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 – 20/12/2021

No submissions or observations received

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### **Relevant Planning History**

There is no recent relevant planning history pertaining to the subject site. All previous planning history at the site relates to the construction of two semi-detached dormer bungalows on lands to the rear of the property, granted permission under **SD09A/0089**.

### **Relevant Enforcement History**

There is no record of recent enforcement notices for the subject site. There are two closed cases as follows:

**SCN0077:** Potential non-compliance with Condition 12 of SD09A/0089 relating to financial contributions. Closed due to compliance

**S6483:** Potential storing of building materials. Closed due to exempted development.

### **Pre-Planning Consultation**

None recorded for subject site.

### **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 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*

### **Relevant Government Guidelines**

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

***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

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### **Zoning and Council Policy**

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

### **Residential and Visual Amenity**

The proposal is for retention of a single storey, pitched roof front extension to the living room and porch. The extension is approximately 5.5sq.m in size. No other alterations are noted from the drawings.

The extension to the living room protrudes approximately 1.1m from the original front building line. The porch extension protrudes approximately 1.3m from the original front building line. A driveway in excess of 6m in length is retained, with space for 2 vehicles. The hipped roof is sympathetic to the existing dwelling and the extension has been constructed using materials that complement the existing dwelling. It is considered that the extension is compliant with the recommendations of the South Dublin County Council House Extension Design Guide.

Based on the above retention of the extension is considered acceptable.

### **Services, Drainage and the Environment**

Water Services and Irish Water have reviewed the application and have stated no objection subject to **conditions**. Requiring the inclusion of water butts and compliance with Irish Water codes and practices. As the extension has already been constructed, the inclusion of water butts is considered difficult to enforce. In addition, no water connections are required. It is therefore not considered necessary to attach 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.

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### **Other considerations**

#### **Development Contributions**

There are no other existing extensions

Extension to be retained – 5.47sq.m

Assessable area = 5.47sq.m

### **SEA Monitoring Information**

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	Residential extension
<b>Floor Area (sqm)</b>	5.47sq.m
<b>Land Type</b>	Brownfield
<b>Site Area</b>	0.018 ha

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development to be retained it is considered that, subject to conditions set out below, retention of the 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 proposal would be consistent 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 Retention 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 to be in accordance with submitted plans and details.  
The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, save as may be required by other conditions attached hereto.  
REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
  
2. Financial Contributions.  
The developer shall pay to the Planning Authority a financial contribution of €571.56 (five hundred and seventy one euros and fifty six 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 Act 2000 (as amended). This contribution is to be paid on receipt of Final Grant of Permission.  
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.


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**REG. REF. SD21B/0580**

**LOCATION: 7, Tymonville Court, Tymon North, Dublin 24**

  
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**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 Retention 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:** 13/1/22

  
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**Eoin Burke, Senior Planner**