

Comhairle Chontae Átha Cliath Theas

PR/0091/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0228 **Application Date:** 21-Apr-2021
Submission Type: Clarification of Additional Information **Registration Date:** 15-Dec-2021

Correspondence Name and Address: Micheál Ó Drisceoil Architect 53, Georges Street Lower, Dún Laoghaire, Chontae Átha Cliath, A96 X7K2

Proposed Development: Alterations to existing dwelling, previously extended, to provide an additional separate dwelling on same site incorporating previous extension with new extension into the new separate four bedroom dwelling; new roof window to existing bathroom; addition of a single storey utility room extension to the rear of existing dwelling; alterations to existing first floor windows to correspond to houses opposite; subdivision of rear garden into separate gardens; new pedestrian gate onto Laburnum Walk.

Location: 27 Elderwood Road, Palmerstown, Dublin 20.

Applicant Name: Jean & John Harrington

Application Type: Permission

(DF)

Description of Site and Surroundings:

Site Area:

Stated as 0.041ha

Site Visit: 19th May 2021

Site Description:

The subject site is a corner semi-detached unit at the intersection of Elderwood Road and Laburnum Walk located within an established residential area. The surrounding streetscape is characterised by semi-detached houses with rear gardens.

Proposal:

The proposed development comprises the following:

- Alterations to existing dwelling, previously extended, to provide **an additional separate dwelling** on same site incorporating previous extension with new extension into the new separate four-bedroom dwelling;

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- new roof window to existing bathroom;
- addition of a single storey utility room extension to the rear of existing dwelling;
- alterations to existing first floor windows to correspond to houses opposite;
- subdivision of rear garden into separate gardens;
- new pedestrian gate onto Laburnum Walk.

SEA Sensitivity:

No overlap identified with relevant environmental layers

Zoning:

The subject site is subject to zoning objective RES - *'To protect and / or improve Residential Amenity'* in the South Dublin County Development plan 2016-2022.

Consultations:

Water Services- Further Information Requested

Irish Water-Further Information Requested

Roads- Further Information Requested

Submissions/Observations /Representations

None received. Final date for submissions 25/5/21

Relevant Planning History

Subject site

SD04B/0223. To erect a proposed first floor extension over existing ground floor extension to front, side and rear of existing dwelling. 2. All ancillary site works.

Grant Permission

Adjacent sites

SD06B/0208. Proposed granny flat to side.

Grant Permission

Relevant Enforcement History

None recorded for the subject site

Pre-Planning Consultation

None recorded for the subject site.

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

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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

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.

For rear extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Match the shape and slope of the roof of the existing house, although flat-roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*
- *Do not create a higher ridge level than the roof of the main house.*
- *The roofline of large extensions to the rear of single storey bungalows should not be visible from public view to the front or to the side of the bungalow.*

Section 2.4.0: Residential Consolidation – Infill, Backland, Subdivision & Corner Sites

Policy H17 Residential Consolidation

Policy H17 Objective 3:

To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Table 11.20: Minimum Space Standards for Houses

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

Section 11.3.2 (i) Infill Sites

Development on Infill sites should meet the following criteria:

- Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.
- A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.

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- Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.
- Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height).

Section 11.3.2 (ii) Corner/Side Garden Sites

Development on corner and/or side garden sites should meet the criteria for infill development in addition to the following criteria:

- The site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings,
- The dwelling(s) should generally be designed and sited to match the building line and respond to the roof profile of adjoining dwellings,
- The architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings,
- Where proposed buildings project forward of the prevailing building line or height, transitional elements should be incorporated into the design to promote a sense of integration with adjoining buildings and
- Corner development should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain.

Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

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Section 11.4.4 Car Parking Design and Layout

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County.

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

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

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Regional, Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, 2019.

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

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 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 relate to Zoning and Council policy, Residential and Visual Amenity, Water Services, Roads.

Zoning and Council policy

The site is located in an area with zoning objective 'RES', '*To protect and / or improve Residential Amenity*'. The proposed development is permitted in principle within the 'RES' zoning objective subject to its design being in accordance with the relevant provisions in the Development Plan (not including design which is addressed within the 'residential and visual amenity' section of the report).

Residential and Visual Amenity

Existing Dwelling

- Portions of the existing ground floor and first floor are to be incorporated into the proposed new dwelling. This will reduce the width of the existing dwelling from 9.287m to 5.56m.
- This reduces the dwelling from a 5 bedroom to a 3-bedroom unit - from 158sq.m to 90sq.m (excluding 11.5sq.m new rear extension)
- A new extension 11.5sq.m is proposed to the rear which projects c2.25m. This includes an extended kitchen area and a utility room.
- The internal room sizes will satisfy the requirements of the 2007 Quality Homes for Sustainable Communities.
- The rear amenity area is c.60sq.m which satisfies the requirements of the CDP. The applicant to confirm the exact area on the site layout plan by additional information.
- The proposed access gate to the rear amenity area of Laburnum Walk is acceptable.
- The replacement of rear windows is acceptable.

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Proposed Dwelling

- This incorporates 90sq.m of the previous 'first and ground floor extension' of the existing dwelling. The total area is 127.7sq.m.
- The dwelling is setback from the corner of the site by 1m which is acceptable and conforms to the CDP.
- The dwelling is 108.3sq.m and contains four bedrooms, 2 bathrooms, and a kitchen and dining areas.
- The internal room sizes will satisfy the requirements of the 2007 Quality Homes for Sustainable Communities.
- The 1.55m wide utility room to the rear aligns with the rear building line of the extension of the existing dwelling.
- The replacement of rear windows is acceptable.
- The rear amenity area will be c.60sq.m which satisfies the requirements of the CDP. The rear boundary dividing wall is 2m in height.

Additional Information Requested

- The northern elevation of the proposed dwelling needs to be redesigned to include additional windows and meet CDP requirements regarding dual frontage. The end of terrace block requires design details to address natural surveillance of the adjacent Laburnum Walk. There are a lack of upstairs windows and the redesign should include more habitable windows to mitigate the potential obscure gazing in the bathroom. An additional side window is required in the downstairs dining area also.
- Details and dimensions of the proposed dwelling to be provided outlining boundary treatments showing a height of 1.2m for the length of the front and side boundaries from the rear building line to the front boundary line.
- The applicant to confirm the exact rear amenity areas for both dwellings on the site layout plan.

The separation distance from the adjacent properties is acceptable. The Planning Authority is satisfied that the works do not have an adverse impact on the residential amenity of the adjacent properties. It does not detract from the appearance of the existing dwelling and is considered acceptable and conforms to the South Dublin House Extension Design Guide and CDP.

Water Services

Irish Water has requested water supply drawings; revised surface and foul water drainage layout drawings for the proposed development clearly showing that the foul and surface water drainage systems are discharging to separate pipe networks; a PCE; and engage with Irish Water's diversions section to assess feasibility of build over and/or diversion.

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Water Services has requested SUDS features to be included.

The above will be requested as additional information.

Roads

Roads has requested a revised site layout demarcating the existing and extension as a separate dwelling, and the omission of the proposed pedestrian access gate at the side of the existing dwelling onto Laburnum Walk. The Planning Authority accepts the principle of the pedestrian gate, subject to the provision of satisfactory rear amenity space for each dwelling being provided, in the interests of bin access.

Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the scale and nature of the development proposed and the distance from Natura sites, it is considered that the development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 Appropriate Assessment is not required.

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

Development Contributions

The proposed development comprises the following:

- Alterations to existing dwelling, previously extended, to provide an additional separate dwelling on same site incorporating previous extension with new extension into the new separate four bedroom dwelling;
- new roof window to existing bathroom;
- addition of a single storey utility room extension to the rear of existing dwelling;
- alterations to existing first floor windows to correspond to houses opposite;
- subdivision of rear garden into separate gardens;
- new pedestrian gate onto Laburnum Walk.

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Permission for Residential extension:

Previous extension to property 58.6sq.m.

- 90sq.m of existing property to be incorporated into the 127sq.m new dwelling. This is an additional floor area of 37sq.m.
- However, no evidence of previous contributions so accessible area is 127sq.m.
- Additional rear extension of 11.5sq.m of existing dwelling.

Overall Assessable area: 127sq.m+11.5sq.m=138.5sq.m-40sq.m=98.5sq.m. (contributions required).

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – additional floor space	48.5sq.m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.41

Conclusion

Additional information is requested regarding the overall design. However, the proposed development may be deemed to generally comply with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and the South Dublin County Development Plan 2016 – 2022, subject to appropriate AI being received.

Recommendation

Request Further Information.

Further Information

- Further Information was requested on 15-June-2021.
- F.I. extension granted on 13/09/21 until 14/03/22
- Further Information was received on 20-October-2021.

Further information requested is as follows:

Item 1: Site Plan

The applicant is requested to submit a revised site layout plan to include:

(a) the size of the rear amenity areas proposed for each of the two dwellings (existing and proposed).

(b) demarcating the existing development (including existing extension) as a separate dwelling and clearly delineating the proposed new dwelling house.

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Item 2: CDP Compliance

The applicant is requested to submit revised proposals for the proposed dwelling house which clearly demonstrates compliance with County Development Plan policy for dwellings in side gardens and on corner site. Both the northern and eastern elevations should be designed to provide passive surveillance, especially of the adjacent Laburnum Walk. In this regard, revised floor and elevational drawings shall be submitted clearly demonstrating:

- (i) An active northern elevational frontage. Windows (plural) should be provided in both the ground and first floor northern elevation.*
- (ii) Revised side and front boundary treatments. Details of a maximum height of 1.2m for the length of the front and side boundaries from the proposed rear building line to the front boundary line of the proposed 4 bedroom house are requested.*

Item 3: Water

The applicant is requested to submit the following information:

-A drawing in plan outlining the existing and proposed water supply layout for the development. The drawing shall show that each dwelling has its own independent connection to the public water infrastructure. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.

-The applicant has shown the surface water run off from the proposed development to be connected into the foul water drainage network. This is not acceptable as foul and surface water drainage systems must be designed to discharge to separate pipe networks. The applicant is requested to submit a revised surface and foul water drainage layout drawing for the proposed development clearly showing that the foul and surface water drainage systems are discharging to separate pipe networks. The applicant is requested to submit a drawing showing that each individual dwelling has its own independent connection to the public wastewater network. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie

-The applicant shall engage with Irish Water by submitting a pre Connection Enquiry (PCE) to assess feasibility of connection to the public water/waste water infrastructure. The outcome of the PCE is to be submitted as a response to RFI.

-The applicant shall engage with Irish Water's diversions section to assess feasibility of build over and/or diversion. The outcome of the engagement with Irish Water's diversions shall be submitted as a response to RFI.

Item 4: SUDS

The applicant is requested to submit a drawing showing the inclusion of SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:

- Rain Gardens , Planter boxes with overflow connection to the public surface water sewer.*

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- *Permeable Paving*
- *Grasscrete.*

Item 5: Parking

The applicant is requested to submit a revised site layout demarcating the existing, and the extension as a separate dwelling and clearly showing car parking for both residential units.

Further Consultations:

- *Water Services. No objection subject to conditions*
- *Irish Water. Clarification of Additional information requested*
- *Roads. No objection subject to conditions*

Assessment

In response to Items 1 to 5 the applicant has submitted a number of documents. The Planning Authority has had regard to the submitted information as part of its assessment.

Item No. 1- Site Plan

Assessment:

The applicant has submitted a revised plan which outlines rear amenity spaces of 58.3m² for the existing dwelling and 65m² for the proposed dwelling, with the two dwellings marked separately on the plans. The requirements under the CDP for 3 bedrooms is 60m² and 70m² for four bedrooms. Both dwellings do not meet these standards however they are marginally below them and in this instance the Planning Authority is satisfied with the amenity space provision, subject to a **condition of permission being attached that de-exempts development exempted under Classes 1 and 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001.**

The information submitted for Item 1 generally conforms with the appropriate policies of the County Development Plan, and the House Extension Guidelines 2010, subject to conditions, and is considered acceptable to the Planning Authority.

Item 2- CDP Compliance

Assessment:

In response to Item 2 the applicant has submitted revised floor plans and elevation drawings which identify ground floor and first floor gable windows for habitable rooms. The elevation drawing also identifies side and front boundary treatments as requested under AI. **The provision of an additional timber fence on top of the 1.2m boundary wall is not acceptable and a suitable planning condition will address this.**

The information submitted for Item 2 conforms with the appropriate policies of the County Development Plan, and the House Extension Guidelines 2010 and is considered acceptable to the Planning Authority.

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Item 3- Water

Assessment:

In response to Item 3 the applicant has submitted drainage drawings, and a PCE letter from Irish Water which outlines that a new connection is feasible.

A report from Water Services advises that car parking areas to be constructed of porous paving. A suitable planning condition will address this.

A report from Irish Water states the following;

'The proposed development is approximately 2.5m from a 100mm uPVC public watermain located under the public footpath to the north of the site. Irish Water Standard Details for water Infrastructure require 3m clear distance from a main of this size. The applicant shall engage with Irish Water's diversions section to assess feasibility of existing design and an alternative design which accommodates Irish Water's minimum required separation distances from public infrastructure. The outcome of this engagement with Irish Water's diversions shall be submitted to the planning authority as a response to Request for Further Information'.

The proposed development remains within 3m of the watermain and Irish Water has outlined concerns with this layout. As such, the information submitted for Item 3 is not considered acceptable to the Planning Authority. Consideration is given to amending the development; however, it is considered that a design solution may be achievable. Clarification of AI is requested to fully address item 3 of the request for additional information.

Item 4- SUDs

In response to Item 4 the applicant has submitted a site drainage plan which also outlines permeable paving areas.

A report from Water Services advises that car parking areas to be constructed of porous paving. A suitable planning condition will address this.

The information submitted for Item 4 conforms with the appropriate policies of the County Development Plan, and the House Extension Guidelines 2010 and is considered acceptable to the Planning Authority.

Item 5- Parking

In response to Item 5 the applicant has submitted a drawing outlining the provision of 3 car parking spaces for the two dwellings. This corresponds to 1.5 spaces per dwelling in zone 2 as per the CDP, as it is located within 400m of a bus stop on Kennelsford Road.

A report from Roads outlines no objection subject to standard conditions.

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The information submitted for Item 5 conforms with the appropriate policies of the County Development Plan, and the House Extension Guidelines 2010 and is considered acceptable to the Planning Authority.

Summary

In summary, the details submitted in response to the request for additional information are not considered to be fully acceptable to the Planning Authority and a grant of permission for the proposed development is not yet recommended. CAI is recommended regarding the concerns raised by Irish Water.

Conclusion

Clarification of additional information is requested regarding the position of the water pipe outlined by Irish Water. However, having regard to the additional information submitted to the Planning Authority, the pattern of development in the vicinity and the design and layout of the proposed residential development, it is considered that, subject to the submission of appropriate CAI the proposed development would not likely seriously injure the amenities of the area or property in the vicinity, therefore, likely be in accordance with the proper planning and sustainable development of the area.

Recommendation

Seek Clarification of Further Information.

Clarification of Further Information

Clarification of Additional Information was requested on 17/11/21

Clarification of Additional Information was received on 15/12/21

Consultations

Irish Water Drainage: No objections subject to conditions.

Submissions/Observations

No further submissions/observations received.

The Clarification of Additional Information requested is as follows:

1. The applicant has not fully addressed Item 3 of the request for additional information. The proposed development is approximately 2.5m from a 100mm uPVC public watermain located under the public footpath to the north of the site. Irish Water Standard Details for water Infrastructure require 3m clear distance from a main of this size. The applicant shall engage with Irish Water's diversions section to assess feasibility of the existing design and an alternative design which accommodates Irish Water's minimum required separation

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distances from public infrastructure. The outcome of this engagement with Irish Water's diversions shall be submitted to the planning authority as a response to the Request for Clarification of Further Information

Assessment

The applicant has submitted a cover letter from *Mod Architect.ie* dated 7th December and date stamped the 15th December 2021.

The applicant has engaged with Irish Water's diversions section to assess feasibility of the existing design and an alternative design which accommodates Irish Water's minimum required separation distances from public infrastructure.

The applicant has submitted a letter with the outcome of the engagement with Irish Water's diversions under build near enquiry reference DIV21299. Irish Water state no objections with acceptance of the **current design proposal with no requirement to deviate from the proposed layout.**

The Irish Water report notes the following:

*1 Water 1.1 All works are to comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure unless otherwise agreed with Irish Water in writing.
1.2 The applicant is required to comply with the requirements as stated in Letter received from Irish Water dated 7th December 2021 in relation to Build near enquiry reference DIV21299. Reason: In the interest of public health and to ensure adequate water facilities.*

2 Foul 2.1 All works are to comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure Reason: In the interest of public health and to ensure adequate wastewater facilities.

The Planning Authority are satisfied that the proposal is now consistent with the policies and objectives of the current County Development Plan and therefore a grant of permission is recommended.

Additional Assessment Note:

The dual aspect of the proposed dwelling house should be strengthened with a **condition** of permission to create an additional window at first floor level in the northern elevation and to remove the wooden fence proposed on top of the 1.2m high northern/side boundary wall.

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Permission for Residential extension:

Previous extension to property 58.6sq.m.

- 90sq.m of existing property to be incorporated into the 127sq.m new dwelling. This is an additional floor area of 37sq.m.
- Additional rear extension of 11.5sq.m of existing dwelling.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – additional floor space	48.5sq.m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.41

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan, the proposed development, subject to conditions, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, in this instance, 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.

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 20/10/21, Clarification of Further Information received

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on 15/12/21, 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. **Permission Required for Class 1 & 3 Exemptions.**

Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.

REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

3. (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 - Surface Water.**

(i) The applicant shall include Water Butts as part of additional Sustainable Drainage Systems (SuDS) measures for the proposed development.

(ii) The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section.

(iii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

(iv) 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, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

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(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-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. Modification to Northern Elevation

The northern elevation of the 4-bedroom dwelling house shall be modified as follows:

(i) An additional window opening shall be created at first floor level and shall provide light to the Master Bedroom 1 as annotated in Drawing titled Floor and Site Plans, Drawing No. 2030/101 dated Feb 2020 #1 and 18/10.21.

(ii) The additional window opening required under item i) shall match the exact dimensions of the first-floor window in 'Side Elevation' providing light to the stairwell and landing as annotated on Drawing titled Proposed Elevations and Cross Section, Drawing No. 2030/102 dated Feb 2020 #1 and 18/10.21.

REASON: In the interests of providing a full dual frontage dwelling, providing passive surveillance, in the interests of complying with County Development Plan policy and in the interests of proper planning and sustainable development.

5. Dish Kerb and Footpath.

The kerb and footpath of the public road at the vehicle entrance(s) shall be,

(a) dished and a widened dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense, and

(b) all works shall be completed fully in accordance with the terms of a Road Opening Licence which shall be obtained by the applicant, developer, or owner from the Council prior to commencement of any works in the public domain.

REASON: In the interest of public safety and the proper planning and sustainable development of the area, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10.

6. Drainage - Irish Water.

(i) All works shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure unless otherwise agreed with Irish Water in writing.

(ii) The applicant shall comply with the requirements as stated in Letter received from Irish Water dated 7th December 2021 in relation to Build near enquiry reference DIV21299.

(iii) All works shall comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure.

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.

7. Parking

All proposed car parking areas shall be constructed of a porous paving material.

REASON: In the interests of the proper planning and sustainable development of the area and in order to ensure adequate drainage provision.

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8. Access

(i) No gate, specifically the gates provided in the northern boundary, installed or erected shall be capable of opening across any public footpath, cycle-track, roadway or right of way.

(ii) Any front entrance pillars shall be a maximum height of 1.2m .

REASON: In the interests of visual amenity and pedestrian safety.

9. Boundary Treatment

(i) The northern/side boundary treatment shall be constructed of a wall with a maximum height of 1.2m, which shall be topped with a 0.5m wrought-iron railing for the length of the side boundary from the rear building line to the front building line of the 4-bedroom dwelling house.

(ii) The eastern/front boundary treatment forward of the front building line of both dwelling houses shall have a maximum height of 1.2m.

REASON: In the interests of provided a full dual frontage dwelling, providing passive surveillance of the street, to meet County Development Plan policy and in the interests of proper planning and sustainable development.

10. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €5,067.77 (five thousand and sixty seven euros and seventy seven 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.

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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.

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REG. REF. SD21B/0228

LOCATION: 27 Elderwood Road, Palmerstown, Dublin 20.



**Sarah Watson,
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:

20/1/22



Eoin Burke, Senior Planner