

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0391 **Application Date:** 12-Jul-2021
Submission Type: Additional **Registration Date:** 23-Dec-2021
Information

Correspondence Name and Address: Samuel Herpin, Cantrell & Crowley Architects
Priory, Stillorgan Road, Blackrock, Co. Dublin

Proposed Development: Partial demolition of part two storey part single storey extension to front (east), side (north) and rear (west); construction of a 66.5sq.m part two storey part single storey extension to side (north) and front (east) of dwelling; construction of a first floor 17sq.m extension to rear (west); minor internal modifications and elevational alterations; external hard and soft landscaping to front, side and rear; all associated site development works above and below ground.

Location: 68, Marian Crescent, Rathfarnham, Dublin 14

Applicant Name: Triona Daly

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.048 Hectares on the application.

Site Description

The subject site forms part of a corner site on Marian Crescent within an existing housing estate in Rathfarnham. The site consists of a semi-detached, two-storey dwelling with a side extension. The streetscape is characterised by housing of a similar form and character.

Proposal

Permission is being sought for the following works:

- Partial demolition of part two storey part single storey extension to front (east), side (north) and rear (west);
- Construction of a 66.5sq.m part two storey part single storey extension to side (north) and front (east) of dwelling;
- Construction of a first floor 17sq.m extension to rear (west);
- Minor internal modifications and elevational alterations; external hard and soft landscaping to front, side and rear; all associated site development works above and below ground.

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

Zoning

The subject site is subject to zoning objective RES – ‘*To protect and/or improve residential amenity*’.

Consultations

Water Services – further information requested in relation to surface water and no objections in relation to flood risk.

Irish Water – no objection subject to conditions.

SEA Sensitivity Screening – no overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

None.

Relevant Planning History

Subject site

SD17B/0351

Amendments to previous Planning Permission granted (Ref: SD16B/0360). The proposed amendments include alterations to the roof shape of the proposed new first floor side extension and associated dormer to rear. **Permission granted. This permission has not fully been constructed on the site.**

SD16B/0360

Demolition of an existing partially converted garage and boiler house to side/rear of property, widening of existing front vehicular entrance gate, alterations and extension of an existing single storey side extension to incorporate a new first floor over together with a connecting dormer to rear and entrance porch to front, all associated site development works and landscaping.

Permission granted.

Adjacent sites

SD07B/0841 66, Marian Crescent, Rathfarnham, Dublin 14

Two storey extension to the rear of the existing dwelling house. **Permission granted.**

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

PP131/20

The development will consist of: (a) two storey extension to the north elevation, (b) first floor dormer bedroom, study and bathroom extension and (c) minor other internal and external alterations to plan and elevation.

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

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.

Policy H18 Objective 1:

To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

The House Extension design guide contains the following guidance on house extensions, including for front, side and rear extensions:

Elements of Good Extension Design:

- *Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible.*

Relevant Government Guidelines

- Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).
- Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).
- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional Spatial and Economic Strategy 2019 – 2031.
- Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2009).

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

- 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, (2009).
- Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The proposed development is consistent in principle with zoning objective RES – *'To protect and/or improve residential amenity'*. New residential extensions to existing dwellings are permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010.

Visual and Residential Amenity

Front, side and rear extensions

The existing two storey extension would be extended to the front and a further part single storey and part two storey (staircase) extension provided to the side (north) of this extension and the dwelling onsite. The dwelling would also be extended to the rear at first floor level. The two storey extension to the front would extend approx. 2.5m from the front building line of the existing side extension. This element would still be setback from the front building line of the original dwelling. The proposed new side extension would extend approx. 5.1m by 8.0m at ground floor. Provided at first floor would be a staircase. The proposed side extension would be setback approx. 1.4m from the front boundary and approx. 1.1m from the side boundary with No. 66 Marian Crescent. The rear first floor extension would extend approx. 4.0m and align with the existing projection from the rear first floor elevation.

The overall height of the existing side extension would be increased to align with the dwelling. The new extension to the side would be approx. 3.2m (from FFL) with an approx. 5.3m (from FFL) two storey element comprising a staircase. The new side extension would have a flat roof. The SDCC House Extensions Design Guide states that prominent flat roofed extensions are normally not acceptable. The flat roof would be highly visible in this instance due to the

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

orientation of the building and the close proximity of this structure to the front boundary. Even if this structure were to be designed with a more appropriate roof profile it would further add to the bulk of the overall development and not have an acceptable visual impact.

There is already a two storey extension to the side of the dwelling and the subject application would further extend the mass of the dwelling to the front, side and rear. The increase in the scale of the existing side extension and additional extension to the side of this would lead to an unacceptable scale of development given its visibility from the streetscape. It is therefore considered that the proposed new side extension should either be omitted or significantly reduced and redesigned to read with the existing dwelling and extension. **This can be addressed by way of Additional Information.**

The closest dwelling No. 66 Marian Crescent would have first floor windows located less than 22m from the proposed first floor windows on the proposed development. A review of the planning history of the site show that the windows could be to a first floor bedroom. The Planning Authority therefore has concerns that the new first floor windows on the rear elevation of the dwelling would lead to unacceptable overlooking on the neighbouring property at No. 66 Marian Crescent. **The applicant shall be requested to address this by way of Additional Information.**

The applicant has stated that the proposed materials would be render and painted to match the existing dwelling. There would be pressed metal panel detail to the second staircase enclosure to the northern gable end, which would complement the existing dwelling. The extension would provide for an extended kitchen and hall at ground floor and new bedrooms at first floor at the front, sitting room, office/library area and staircase to the side and new bedroom at first floor to rear. The new bedrooms would meet the minimum floorspace requirements of the CDP. The remaining rear amenity space would meet the minimum required amenity space for a 4 bedroom or more dwelling.

In summary, some form of extension may be acceptable in principle, however, **Additional Information**, is required to ensure it would comply with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and would have an acceptable impact in terms of residential and visual amenity.

Services and Drainage

Water Services has reviewed the proposed development and request further information in regard to surface water and the proposed rain garden:

1.1 The applicant is required to clarify how the proposed rain garden will manage surface water run off from the proposed extension. The applicant shall demonstrate how building foundations will not be adversely affected by infiltrating surface water in rain garden system. The applicant shall submit a detail cross section of proposed rain garden which demonstrates

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

this. Note Water Services welcome use of proposed rain garden in principle. The applicant shall include this within their drainage design.

1.2 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway or rain garden. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway and rain garden in accordance with BRE Digest 365 – Soakaway Design.

1.3 The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

- i) At least 5m from any building, public sewer, road boundary or structure.*
 - ii) Generally, not within 3m of the boundary of the adjoining property.*
 - iii) Not in such a position that the ground below foundations is likely to be adversely affected.*
 - iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
 - v) Soakaways must include an overflow connection to the surface water drainage network.*
- 1.4 The applicant shall include Water Butts as part of Sustainable Drainage Systems (SuDS) measures for the proposed development.*

The report from Water Services is noted. **These concerns can be addressed by way of Additional Information.**

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 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.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that **Additional Information** is required to ensure the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

remainder of the development, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

Request Further Information.

Further Information

Further Information was requested on the 6th of September 2021.

Further Information was received on the 23rd of December 2021 (not deemed significant).

Further Information Consultations

Water Services – further information requested.

Irish Water – no objection subject to conditions.

Assessment

Item 1 Requested

The Planning Authority has concerns in regard to the impact of the proposed development on visual and residential amenity. There is already a two storey extension to the side of the dwelling and the subject application would further extend the mass of the dwelling to the front, side and rear. The increase in the scale of the existing side extension and additional extension to the side of this would lead to an unacceptable scale of development given its visibility from the streetscape. The flat roof of the new side extension would also be visually prominent when viewed from the streetscape, which is not in compliance with the South Dublin County Council House Extension Design Guide (2010). The proposed new side extension should either be omitted or significantly reduced and redesigned to read with the existing dwelling and extension. The applicant is requested to submit a revised proposal that addresses these concerns and complies with the South Dublin County Council House Extension Design Guide (2010). Furthermore, a site layout drawing showing the proposal and the site to the north (including footprint of that dwelling) should be submitted to a suitable scale.

Assessment:

The applicant has submitted a revised proposal that reduces the scale of the proposed side extension. The floor area has been reduced and the first floor element (stairs) removed. The proposed flat roof has been replaced with a gable 'A' roof. A revised drawing (no. 2050 P01 001 Rev A) shows the footprint of No. 66 Marian Crescent. The redesign and reduction in scale of the side extension is welcomed. It is considered that this further information item has been fully addressed.

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

Item 2 Requested

The closest dwelling, No. 66 Marian Crescent, would have first floor windows located less than 22m from the proposed first floor windows on the proposed development. A review of the planning history of this neighbouring site shows that the windows could be to a first floor bedroom. The Planning Authority therefore has concerns that the new first floor windows on the rear elevation of the dwelling would lead to unacceptable overlooking on the neighbouring property at No. 66 Marian Crescent. The applicant is requested to submit further information addressing the concerns in regard to overlooking on the neighbouring property. It may be necessary to revise the proposal to ensure it complies with the South Dublin County Council House Extension Design Guide (2010).

Assessment:

The applicant has submitted further information stating that it appears the neighbouring planning permission may not have gone ahead or developed fully. The Planning Authority notes that this aligns with what was observed at the site visit. It is also noted that this neighbouring permission has expired. The applicant states that the first floor windows at No. 66 appear to be bathroom or ensuite windows given that they are finished with opaque glass. However, the applicant has revised the proposal to provide louvre timber screens to the first floor windows of the proposal.

Since the planning history and current design of the adjoining property has been clarified the proposed timber screens are not considered necessary. Especially considering that these might impact daylight access into the proposed bedrooms. The timber screens can be omitted by way of condition. This further information item has therefore been fully addressed.

Item 3 Requested

- (1) The applicant is requested to clarify how the proposed rain garden will manage surface water run off from the proposed extension. The applicant shall demonstrate how building foundations will not be adversely affected by infiltrating surface water in rain garden system. The applicant shall submit a detail cross section of proposed rain garden which demonstrates this. Note Water Services welcome use of proposed rain garden in principle. The applicant shall include this within their drainage design.*
- (2) There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway or rain garden. The applicant is requested to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway and rain garden in accordance with BRE Digest 365 – Soakaway Design.*
- (3) The applicant is requested to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
 - (i) At least 5m from any building, public sewer, road boundary or structure.*
 - (ii) Generally, not within 3m of the boundary of the adjoining property.*
 - (iii) Not in such a position that the ground below foundations is likely to be adversely affected.**

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

- (iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
(v) Soakaways must include an overflow connection to the surface water drainage network.
(4) The applicant shall include Water Butts as part of Sustainable Drainage Systems (SuDS) measures for the proposed development.

Assessment:

The applicant states that the reduction in scale and reconfiguration of the proposal have reduced the suitability of the rain garden proposed. Percolation tests have not been carried out yet but would be carried out upon the appointment of a contractor. The percolation test result would be compared to assumed value and should this affect the suitability of the proposed soakaway at this location, an alternative SUDS measures would be proposed. A revised Drainage Layout Plan and Soakaway Section has been submitted. A 200L water butt is proposed to serve half of the roof area to the proposed site extension.

Water Services have reviewed the further information submitted and request clarification of further information in relation to soil percolation test results and drawings for the proposed soakaway. It is considered this can be addressed by way of condition. This further information item has been addressed subject to conditions.

Development Contributions

Proposed extension 64sq.m
Previous extensions totalling more than 40sq.m
Assessable area = 64sq.m

SEA monitoring

Building Use Type Proposed: Residential
Floor Area: 64sq.m
Land Type: Brownfield/Urban Consolidation.
Site Area: 0.048 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to the conditions set out below, the proposed development would be in compliance with Council policy in relation to extensions to dwelling houses, 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.

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

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 the 23rd of December 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. Amendments.
The proposed louvre timber screens on the first floor windows on the rear elevation of the dwelling shall be omitted.
REASON: To protect the amenities of the occupiers of the site and in the interests of the proper planning and sustainable development 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

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

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-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

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

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.

4. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €6,687.36 (six thousand six hundred and eighty seven euros and thirty 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 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.

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

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: 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.

Comhairle Chontae Atha Cliath Theas

PR/0131/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD21B/0391

LOCATION: 68, Marian Crescent, Rathfarnham, Dublin 14

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: 28/1/22



Eoin Burke, Senior Planner