

Comhairle Chontae Atha Cliath Theas

PR/0128/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0597 **Application Date:** 25-Nov-2021
Submission Type: New Application **Registration Date:** 25-Nov-2021
Correspondence Name and Address: Patrick Ginty, Tygro Consulting Engineers Limited
7, Fortfield Grove, Terenure, D6WXC89
Proposed Development: Construction of a new single storey extension
(28.9sq.m) to the rear of existing dwelling.
Location: 2 Mount Venus Cottages, Kilakee Road,
Rathfarnham, Dublin, 16
Applicant Name: Alan Bergin
Application Type: Permission

(CM)

Description of Site and Surroundings:

Site Description:

The site is located on the R115 Killakee road in the Woodtown area, close to the junction with Gunny Hill, on the north-east slopes of Mountpelier Hill. One of a row of three residential plots in this agricultural area, the site rises from west to east and commands views towards the Dodder Valley. The house is slightly elevated from the roadside.

The house comprises two elements – the original semi-detached stone cottage to the front, and a larger extension to the rear (permitted in 2008) which is sympathetic in style though larger than the original dwelling. This extension is finished with matching granite cladding and brick quoins to the front and side, and white plaster to the rear. There is a detached garage to the south-east of the dwelling. A driveway runs past the shed to a large agricultural shed to the rear of the site, behind the rear garden.

Site Area: 0.184 Ha.

Site Visit: 05/01/22

Proposal:

Construction of a new single storey extension (28.9sq.m) to the rear of existing dwelling.

Zoning

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

Consultations Received:

Environmental Services Department

Requests Additional Information.

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HSE Environmental Health Officer

No report received.

Submissions/Observations /Representations

None received.

Relevant Planning History

Subject Site

SD08B/0640 – Permission **granted** by SDCC for Demolition of the existing rear extension and the construction of a new storey and a half high rear extension along with replacement of the existing septic tank with a proprietary wastewater treatment system and the construction of a new separate single storey garage.

Note: A balcony was proposed as part of this development and was omitted by condition.

SD09B/0200 – Permission **granted** by SDCC for retention of the as-built separate shed (23.16sq.m.) to the south east of the dwelling and retention of modifications to the main dwelling including; extension of the first floor level to the rear directly above the ground floor rear projection (10.44sq.m.), minor alterations of window sizes and locations on the rear and gable walls and alterations to the number and location of roof lights. The retention relates to the development granted under previous planning reference SD08B/0640.

Enforcement History

None.

Relevant Policy in South Dublin County Development Plan (2016-2022)

Section 9.5.8 Rural House & House Extension

Policy H27 Rural House & Extension Design

H27 Objective 1

Ensure that all new rural housing and extensions within areas designated with Zoning Objective 'RU' (to protect and improve Rural Amenity and to provide for the development of Agriculture), Zoning Objective 'HA-DM' (to protect and enhance the outstanding natural character of the Dublin Mountains Area), Zoning Objective 'HA-LV' (to protect and enhance the outstanding character and amenity of the Liffey Valley) and Zoning Objective 'HA-DV' (to protect and enhance the outstanding character and amenity of the Dodder Valley):

- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and

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- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; and
- Retains and reinstates traditional roadside and field boundaries; and
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and
- Would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards; and
- Would not create or exacerbate ribbon or haphazard forms of development.

Section 9.2.1 Protected Views and Prospects

Table 9.2 Prospects to be Preserved and Protected

Policy HCL8 Views and Prospects

Section 11.2.7 Building Height

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 11.7.2 Energy Performance in new Buildings

Section 11.8.0 Environmental Assessment

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.

Sustainable Rural Housing – Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2005).

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).

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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 are:

- Zoning and Council policy;
- Rural house extension;
- Water services;
- Environmental impact assessment; and
- Appropriate assessment.

Zoning and Council Policy

The site is zoned 'RU' – 'To protect and improve rural amenity and to provide for the development of agriculture.' The South Dublin County Development Plan 2016 - 2022 provides for housing extensions in rural areas under policy H27 – rural housing extensions.

Rural House Extension and Visual Impact

As per Policy H27 and section 11.3.4 of the South Dublin County Development Plan 2016 – 2022, rural house extensions should be designed and sited to minimise impact on the local character and landscape. In particular, section 11.3.4 states:

“The shape and form of residential development in rural and high amenity areas, including roof structures, should be compact and simple with external building finishes that reflect the local character of the area including vernacular buildings and traditional building materials. Dormer extensions should be minimised and should not obscure the main features of a roof.”

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The proposed single storey extension to the rear would be provided in two adjoining blocks: firstly, a 16m² square extension to the kitchen/dining room, provided under a mono-pitched roof (the ridge located away from the main body of the house), with large south-west facing windows in the rear façade; and secondly, an extension to the utility room under a flat roof and with a modest rear-facing window.

The proposed roof profile does not match the form and style of the existing house. There is a clear rationale for the design, which is to protect the south-east facing roof lights to the attic level bedroom, while providing for a double height window to the extended kitchen/dining area.

A nap plaster finish is proposed to the rear. This matches the rear elevation but does not match the granite cladding of the existing extension or the original granite of the cottage.

The extension would be provided to the rear but would be visible to the side and from the road. It would not be prominently visible from the rear as the land slopes up and the site is large and well enclosed.

Considering the above, it is considered appropriate to require **by condition** that the southern façade of the elevation is provided with granite cladding to match the extension permitted and built under SD09B/0640.

Water Services

The applicant has stated in their application form that they will use the existing water supply, waste water treatment system and soakpit without alteration.

The Environmental Services Department has sought as additional information percolation test results and design details of the existing soakpit to establish that it has sufficient capacity to manage excess surface water run off from the proposed development. It is considered appropriate that this be required by **condition**, considering there are no other issues with the development.

There is no report from the Environmental Health Officer on file at the time of writing. It is proposed to continue using the existing waste water treatment system. As the residential extension does not contain additional bedrooms and would not give reason for the occupancy of the house to increase above those levels assessed in 2008, the continuing use of the system on-site is not a cause for concern.

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

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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.

Other Considerations

Development Contributions

Residential extension of 28.9m²

Existing extensions: 236.7m²

Assessable Area is 28.9m².

Monitoring for Strategic Environmental Assessment

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential	28.9
Land Type	Site Area (Ha.)
Greenfield/Rural	0.184

Conclusion

Having regard to the 'RU' land-use zoning objective, the wider context of the site, and the policies and objectives laid down in the South Dublin County Development Plan 2016 - 2022, the proposed development would not be seriously injurious to the rural amenities or landscape character of the area, and would therefore accord with the proper planning and sustainable development of the area, subject to the conditions attached herewith.

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.

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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 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. External Finishes.
The southern facade of the proposed extension shall be finished with granite cladding and brick quoins to match the materials of the original cottage and extension permitted under SD08B/0640. Subject to this, all other external finishes shall harmonise in colour or texture that is complementary to the house or its context.
REASON: In the interest of visual amenity.

3. Surface Water.
Prior to commencement of works, the applicant shall submit the following to the planning authority :
 - (a) a report showing site specific soil percolation test results and design calculations for the existing/proposed soakaway in accordance with BRE Digest 365 – Soakaway Design which demonstrates sufficient capacity is available to manage surface water run off from the proposed development..
 - (b) design details (including plan and cross sectional drawings, dimensions, and location) of the soakaway.REASON: To ensure surface water system has capacity for the proposed development.

4. (a) 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

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transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

REASON: To prevent unauthorised development.

(b) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

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

(c) Minimise Air Blown Dust.

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

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

(d) Construction Noise and Hours.

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

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In

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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.

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €3,019.76 (three thousand and nineteen euros and seventy 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.

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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.

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.

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.

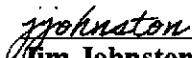
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REG. REF. SD21B/0597

LOCATION: 2 Mount Venus Cottages, Kilakee Road, Rathfarnham, Dublin, 16



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