

Comhairle Chontae Atha Cliath Theas

PR/0269/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0576 **Application Date:** 12-Nov-2021
Submission Type: Additional **Registration Date:** 25-Jan-2022
Information

Correspondence Name and Address: Tara Ward 4, Carrigmore Close, Aylesbury, Tallaght, Dublin 24

Proposed Development: Ground floor side extension with pedestrian access door, pitched roof over and 1 roof light over.

Location: 80, Maplewood Avenue, Dublin 24

Applicant Name: John McGann

Application Type: Permission

Description of Site and Surroundings:

Site Area

Stated as 0.025 Hectares.

Site Description

The subject site is located within the established residential estate of Maplewood, on the western edge of Maplewood Avenue.

The site is comprised of an existing 2 No. storey end of terrace dwelling and ancillary garden. The surrounding streetscape is predominantly characterised by dwellings of a similar design to the subject site.

Site visited

15th December 2021.

Proposal:

Permission is being sought for the following:

- A single storey extension to the side of the dwelling, which projects approximately 2.5m from the northern elevation with an approximate length of 6.8m.
- The proposed extension will facilitate the provision of a ground floor bedroom (currently a living room), a bathroom and a porch with a new Part M compliant entrance in the front elevation. The extension will have an approximate Gross Floor Area of 18sq.m.

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- The roof profile of the proposed extension will be pitched, with a maximum overall height of 3.86m sloping downwards to 2.7m.

Zoning:

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

SEA Sensitivity Screening

No overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

Submission expiry date – 16th December 2021.

No submissions or observations received.

Relevant Planning History

Subject Site

None recorded.

Adjacent and Surrounding Sites

There is no recent planning history of significance in the vicinity of the subject site.

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

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).

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Policy H19 Objective 1:

To favourably consider family flat development where the Council is satisfied that there is a valid need for semi-independent accommodation for an immediate family member (such as an older parent or other dependent), subject to the design criteria outlined in Chapter 11 Implementation.

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 11.8.2 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 porches and front 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.*

Front extensions:

- *Keep the extension simple and complementary to the style of the house by reflecting the style and details of the main house, e.g. window location, shape, type, proportion and sill details.*
- *Reflect the roof shape and slope of the main house.*
- *Match or complement the materials used in the main house.*
- *Try to expose and complement rather than hide or cover original distinctive features of a house such as bay windows.*

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- *Keep front boundary walls or railings, particularly if they are characteristic of the street or area.*
- *Try to maintain a minimum driveway length of 6m.*
- *Avoid extensions that are dominant or overlarge in relation to the scale and appearance of the house.*
- *Avoid excessive use of 'cosmetic' features such as mock classical columns, Spanish arches, decorative lattice fascia boards, balustrades, stonework, etc., that are not typical of the design of the original house.*
- *Avoid building an extension more than 1.5m in front of the existing front wall of the house if there is a regular building line along the street.*

Side Extensions

- *Respect the style of the house and the amount of space available between it and the neighbouring property, for example:*
 - *if there is a large gap to the side of the house, and the style of house lends itself to it, a seamless extension may be appropriate;*
 - *if there is not much space to the side of the house and any extension is likely to be close to the boundary, an ancillary style of extension set back from the building line is more appropriate;*
 - *if the house is detached or on a large site or in a prominent location such as the corner of a street, it may be appropriate to consider making a strong architectural statement with the extension.*
- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.*
- *Leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.*
- *If no gap can be retained, try to recess side extensions back from the front building line of the main house by at least 50cm and have a lower roof eaves and ridge line to*

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minimise the terracing effect. In the case of a first-floor extension over an existing garage or car port that is flush with the building line of the main house, the first floor extension should be recessed by at least 50cm.

- *Match the roof shape and slope of the existing house. In the case of houses with hipped roofs it can be particularly difficult to continue the ridge line and roof shape; however it is more visually pleasing to do so if this will not result in a terracing effect with the adjoining house.*
- *Where the extension is to the side of a house on a corner plot, it should be designed to take into account that it will be visible from the front and side. The use of blank elevations will be unacceptable and a privacy strip behind a low wall, hedge or railings should be provided along those sections of the extension that are close to the public pavement or road.*
- *Avoid creating a terraced effect and awkward join between the rooflines of two adjacent properties if building up to the party boundary.*
- *Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.*
- *Do not incorporate blank gable walls where extensions face onto public footpaths and roads.*
- *The use of a 'false' roof to hide a flat roofed extension is rarely successful, particularly if visible from the side.*
- *Avoid locating unsightly pipework on side elevations that are visible from public view. Consider disguising or recessing the pipework if possible.*
- *Extending a hipped roof to the side to create a gabled end or half-hip will rarely be acceptable, particularly if the hipped roof is visually prominent and typical of other houses along the street.*
- *Avoid the use of prominent parapet walls to the top of side extensions*

Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*

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- *Use light coloured materials on elevations adjacent to neighbouring properties.*

Relevant Government Guidelines

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

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).

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Family Flat
- Residential and visual amenity
- Services, Drainage and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

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

Family Flat

The Planning Authority has concerns that the proposed development could act as a semi-independent dwelling along the northern boundary of the subject site.

The potential semi-independent dwelling comprises a new entrance, a porch, and a bathroom with the existing living room being converted to a bedroom, thus giving the potential for part of the ground floor to act as an independent dwelling. The Planning Authority notes that a family flat has not been applied for and does not form part of the development description in the Statutory Notices. It is noted that the Applicant has stated in their Cover Letter dated November 2021 that the purpose of the proposed development is to facilitate the adaption of the dwelling to meet the needs of a person who has suffered a stroke. Whilst this rationale is understood and accepted, insufficient information has been provided in relation to the remainder of the dwelling.

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Furthermore, it is noted that the inclusion of an additional entrance to the dwelling gives rise to the potential for the dwelling to be subdivided. In this regard, insufficient justification has been provided for the additional entrance, with no explanation offered as to why the existing entrance cannot be adapted. This should be clarified and assessed under Council Policy on family flats:

Policy on Family Flats

Policy H19 of the County Development Plan supports the provision of family flats where the Planning Authority is satisfied that there is a valid need for semi-independent accommodation for an immediate family member (such as an older parent or other dependent), subject to the design criteria in section 11.3.3 (ii) of the County Development Plan. Section 11.3.3 (ii) of the County Development Plan outlines four criteria to consider in the assessment of applications for family flats. The criteria is:

- (1) 'The applicant shall be required to demonstrate that there is a genuine need for the family flat.*
- (2) The overall area of a family flat should not exceed 50% of the floor area of the main dwelling house.*
- (3) The family flat should be directly accessible from the main dwelling via an internal access door; and*
- (4) The design criteria for dwelling extensions will be applied'.*

The applicant should be requested to clarify whether the subdivision of the existing dwelling is being sought and, if this is the case, submit a rationale for the family flat to comply with Council policy. ADDITIONAL INFORMATION.

Residential and Visual Amenity

The proposed development is comprised of a single storey extension to the side of the existing dwelling. The side extension matches the existing front building line and is approximately 2.5m in width, 6.8m in length with a pitched roof profile rising to a maximum height of 3.86m. The proposed development will result in elevational amendments comprised of a Part M compliant access door to the front elevation, a blank elevation along the side (northern) elevation and 1 new window in the rear elevation.

In general, the design of the proposed side extension respects the appearance and character of both the existing dwelling and the streetscape along Maplewood. Through matching the existing building line to the front, the proposed side extension successfully integrates into the existing streetscape. Owing to the orientation of the existing dwelling, the location of the side extension along the northern elevation of the existing dwelling and the maximum overall height of 3.86m,

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there is unlikely to be any significant overshadowing, overbearing or overlooking of adjacent properties.

Services, Drainage and the Environment

No details of the water services and drainage infrastructure for the proposed development have been provided by the Applicant. In this regard, the Applicant should provide details to facilitate a complete assessment of the proposed development.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 sites, it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Conclusion

The Planning Authority generally complies with the South Dublin County House Extension Guide (2010) and adheres to the key principles of proper planning and sustainable development. However, no details have been provided by the Applicant in relation to the water services and drainage infrastructure for the proposed development. In this regard, ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development.

Recommendation

I recommend that ADDITIONAL INFORMATION be requested from the applicant with regard to the following:

1. The Planning Authority has concerns that the proposed development could potentially facilitate the subdivision of the existing dwelling into two separate dwellings. The Planning Authority notes that a separate dwelling has not been applied for and does not form part of the development description in the Statutory Notices. It is noted that the Applicant has stated in their Cover Letter dated November 2021 that the purpose of the proposed development is to facilitate the adaption of the dwelling to meet the needs of a person for health reasons. Whilst this rationale is understood and accepted, insufficient information has been provided in relation to the remainder of the dwelling. Furthermore, it is noted that the inclusion of an additional entrance to the

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dwelling gives rise to the potential for the dwelling to be subdivided. In this regard, insufficient justification has been provided for the additional entrance, with no explanation offered as to why the existing entrance cannot be adapted. In this regard the Applicant is requested to confirm whether or not the subdivision of the existing dwelling is being sought. If the proposed development is to result in the subdivision of the existing dwelling the applicant is requested to submit a rationale and design statement clearly demonstrating compliance with Policy H19 of the County Development Plan. If the subdivision of the dwelling is not being sought, the Applicant is requested to provide a rationale for the proposed additional entrance and explain why it is not possible to adapt the existing entrance. It is the Planning Authority's preference that the dwelling should have one principal entrance in the front elevation, as such the Applicant is requested to consider the re-design of the proposed development to adapt the existing entrance to meet the needs of the occupant(s). Any re-design should be accompanied with a full set of plans and particulars to facilitate the assessment of the proposed development.

2. No details of the water services and drainage infrastructure for the proposed development have been provided by the Applicant. In this regard, the Applicant is requested to provide plans and particulars detailing the water services and drainage infrastructure to facilitate a complete assessment of the proposed development.

Additional Information

Additional Information was requested on 17th January 2022.

Additional Information was received on 25th January 2022.

The Additional Information received was not deemed to be significant, as such the Applicant was not required to erect a Site Notice or publish a Newspaper Notice.

Submissions/Observations

No submissions / observations received.

Assessment

The following Additional Information was received from the Applicant on 25th January 2022:

- Cover Letter prepared by Architectural Planning dated January 2022.
- Drawing No. 001 Rev A1– Existing, Proposed Ground Floor Plan & Section prepared by Architectural Planning.

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- Drawing No. 003 Rev A1 – Proposed Block Plan & Drainage Layout prepared by Architectural Planning.
- Occupational Therapy Report Form in relation to the occupant of the existing dwelling at the subject site (**NB:** not available on the Public Planning File owing to the personal data contained therein).

The Additional Information provided by the Applicant will be assessed below in the context of the 2 No. items of Additional Information requested by the Planning Authority on 17th January 2022:

Additional Information Item No. 1

In response to Additional Information Item No.1 the Applicant has provided a Cover Letter and accompanying floor plan and section drawings.

Separate Dwelling

It is noted in the Cover Letter that the Applicant is not applying for a separate dwelling and that the proposed development amounts to a residential extension to the existing dwelling to meet the needs of a person who has suffered a stroke. The Planning Authority is satisfied that a CONDITION can be attached ensuring the dwelling is operated as a single dwelling only.

Additional Entrance

It is noted that the width of the existing hall has been annotated as 1.75m on Drawing No. 001 Rev A1 (Existing, Proposed Ground Floor Plan & Section) submitted with the Additional Information response. However, the width of the drawing was initially recorded as 1.8m on the drawings accompanying the original submission. In their Cover Letter the Applicant states that:

'The proposed new pedestrian entrance on side is required for disabled access as the existing entrance & hall does not meet the current Part M of Building Regulations or my clients needs as he is currently in a wheelchair and the existing hall has no turning circle or required width for wheelchair access along side of stairs.'

That rationale for the new entrance to the dwelling is understood and accepted by the Planning Authority.

Additional Information Item No. 2

In response to Additional Information Item No.2 the Applicant has provided Drawing NO. 003 Rev A1 - Proposed Block Plan & Drainage Layout prepared by Architectural Planning.

The Drainage and Water Services Department and Irish Water have reviewed the information submitted in Response to Additional Information Item No. 2 and have indicated no objection,

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subject to conditions. In this regard, Additional Information Item No. 2 is deemed to have been satisfactorily addressed by the Applicant.

Other Considerations

Development Contributions

Development Contributions	
Building Use Type Proposed	Floor Area (sq m)
Residential Extension	18sq.m
Previous Extensions	N/A
Assessable Area	0sq.m

SEA Monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq m)
Residential Extension	18sq.m
Land Type	Site Area (Ha)
Brownfield / Urban Consolidation	0.025 Hectares.

Conclusion

Having regard to the 'RES' land-use zoning of the area, the relevant policies and objectives of the South Dublin County Development Plan 2016 – 2022, the South Dublin House Extension Design Guide 2010 and the conditions attached, the proposed development is considered to be in keeping with the sustainable planning and development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

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SECOND SCHEDULE

Conditions and Reasons

1. Development 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 25th January 2022, 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. (a) External Finishes.
All external finishes shall harmonise in colour or texture that is complementary to the house or its context.
REASON: In the interest of visual amenity.

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

(c) Drainage - Irish Water.
 - (i) Prior to the commencement of development, the Applicant shall enter into a water connection and wastewater connection agreement with Irish Water.
 - (ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.
 - (iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.
 - (iv) All drainage works for this development shall comply with the Building Regulations - Technical guidance document- Part H Drainage and Wastewater disposal.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

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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 Dublin County Council Development Plan.

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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/0576

LOCATION: 80, Maplewood Avenue, Dublin 24

Colm Harte

**Colm Harte,
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:

23/2/22

Eoin Burke

Eoin Burke, Senior Planner