

Comhairle Chontae Atha Cliath Theas

PR/0303/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0005 **Application Date:** 13-Jan-2022
Submission Type: New Application **Registration Date:** 13-Jan-2022

Correspondence Name and Address: Joe Fallon Architectural Design Ryland House,
Ryland Street, Bunclody, Co. Wexford

Proposed Development: Demolition of a single storey outbuilding to the rear;
construction of a single storey flat roof extension to
the rear with roof lights; construction of new first
floor extension to the side and a new rooflight to the
rear; conversion of existing flat roof to the front
porch to lean to roof and all associated works.

Location: 27, Anne Devlin Road, Dublin 14

Applicant Name: Declan and Aideen O'Sullivan

Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: as stated 0.038 Hectares.

Site Description:

The site contains a two-storey, semi-detached dwelling with hipped roof located along the established Anne Devlin residential estate. The dwelling has a single storey side element with flat roof and has a side access door to the rear. The subject site has a relatively large rear garden and the streetscape is predominantly characterised by semi-detached dwellings with hipped roofs and a mainly uniform building line. It is noted that the immediate adjacent neighbour to the south (No. 29 Anne Devlin Road) has a single storey rear extension built to the boundary with the subject site.

Proposal:

The proposed development comprises of the following:

- Demolition of existing single storey outbuilding to the rear (20.5sq.m.).
- Removal of existing chimney.
- Construction of 'L' shaped single storey flat roof rear extension with rooflights.
- Construction of first floor side extension over existing single storey side element with 1 no. roof light to rear.
- Change of front porch roof profile from flat roof to lean-to mono-pitch roof.
- Proposed works measure c.54.1sq.m.

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Zoning:

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity'.

Consultations:

Surface Water Drainage – **Additional Information** recommended.

Irish Water – No objections subject to **conditions**.

SEA Sensitivity Screening

No overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

No submissions received.

Relevant Planning History

None recorded for subject site.

Adjacent sites:

SD18B/0219: 25 Anne Devlin Road, Rathfarnham Dublin 14.

Single storey ground floor extension consisting of a kitchen, dining and family area to the rear.

Decision: **GRANT PERMISSION.**

SD07B/0519: 25, Ballymace Green, Dublin 14.

First floor extension to side over existing playroom, attic conversion in extended roof for storage with dormer window to rear, velux roof window to side elevation, new ground floor bay window to existing extension at rear with ancillary alterations and associated site works.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History

None on record.

Pre-Planning Consultation

None on record.

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

Section 2.4.1 Residential Extension

Policy H18 Residential Extension

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

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11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines). ”

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

The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.

Relevant Government Guidelines

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

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

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

Assessment

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and Visual Amenity,
- Services & Drainage,
- Screening for Appropriate Assessment (AA),
- Screening for Environmental Impact Assessment (EIAR),

Zoning and Council Policy

The development comprising a front extension is consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan 2016-2022 and the House Extension Design Guide 2010.

Residential & Visual Amenity

Demolition of single storey outbuilding to rear (c. 20.5sq.m).

This element of the proposal will provide some of the space for the proposed single storey rear extension to be constructed. This demolition work would be acceptable and would not have a significant adverse impact on residential and visual amenity.

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Removal of existing chimney

This element of the proposal would broadly comply in this instance and would not have a significant adverse impact on residential and visual amenity.

'L' shaped single storey rear extension.

The main primary element of the extension will project outwards from the main rear building line by c.5.545m, will span a width of c.5.27m and will have a parapet height of c.3.52m. It will be offset by c.1.0m from the northern site boundary with the immediate neighbour. The smaller secondary element of the extension will project outwards from the main rear building line by c.3.3m and will span a width of c.3.735m. The extension will be built to the boundary with the immediate adjoining neighbour to the south and will have a parapet height of c.3.32m. It is noted that the immediate adjacent neighbour to the south (No. 29 Anne Devlin Road) has a single storey rear extension built to the boundary with the subject site. The subject site has a relatively large rear garden and there will be no significant adverse overlooking or overbearing impact. The extension would comply with the SDCC House Extension Design Guide 2010.

First floor side extension

The extension would align with the single storey side element of the existing dwelling and will be offset by c.1.0m from the northern site boundary. The proposal includes for the extending of the existing hipped roof to cover the proposed first floor side extension. The proposed ridge height will match that of the existing dwelling. There will be a rooflight inserted in the new proposed hipped roof extension. There are no windows proposed on the north (side) elevation and there will be no undue overlooking or overbearing impact. The extension will integrate reasonably well with the character of the existing dwelling and with the character of the area. The extension would comply with the SDCC House Extension Design Guide 2010.

Change of front porch roof profile

The roof profile will be changed from a flat roof with a height of c.2.675m to that of a lean-to mono-pitch roof with an eaves height of 2.775m and a ridge height of c.3.45m. This would visually accord with the character of the area and would not have a significant adverse impact on residential and visual amenity.

Services & Drainage

Surface Water Drainage has recommended **Additional Information** be requested regarding Surface Water Drainage requirements. Irish Water has no objection subject to **conditions**. An extract taken from the Surface Water Drainage report states the following:

Surface Water Report: Further Information Required:

1.1 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations

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for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

1.2 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.*

1.3 Should a soakaway prove not to be feasible, then the applicant shall submit the following:

- a) Soil percolation test results demonstrating a soakaway is not feasible*
- b) A revised surface water layout drainage drawing for the development showing the inclusion of the following SuDS (Sustainable Drainage Systems) features:*

*Rain Garden
Rain Planter box
Water butts
Green roofs*

Note: If the planning department decide to grant planning permission for this development, then the applicant shall submit the above information prior to commencement of development for written agreement from the Planning Authority.

All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal.

The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

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Notwithstanding the Surface Water Drainage report it is considered the above may be dealt with by way of **condition** in the event of a grant.

An extract taken from the Irish Water report states the following:

IW Recommendation:

No Objection

IW Observations:

1 Water

1.1 All development shall be carried out in compliance with Irish Water Standards codes and practices.

2 Foul

2.1 All development shall be carried out in compliance with Irish Water Standards codes and practices.

It is considered appropriate to attach the above **conditions** in the event of a grant.

Screening for Appropriate Assessment (AA)

Having regard to the scale and nature of the development, connection to public services 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.

Environmental Impact Assessment (EIAR)

Having regard to the modest nature of the 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 Consideration

Development Contributions

- Construction of single storey rear extension and construction of first floor side extension (c.54.1sq.m. as stated).
- No previous extension.
- 40sq.m. exemption exists.
- Assessable area measures c.14.1sq.m.

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SEA Monitoring Information	Area
Building Use Type Proposed: Residential Extension	54.1sq.m.
Land Type: Urban Consolidation.	
Site Area:	0.038 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development proposed it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposed extension would be in compliance with Council policy in relation to extensions to dwelling houses.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for 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 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. (a) External Finishes.
All external finishes shall harmonise in colour or texture that is complementary to the house or its context.

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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.

Prior to commencement of development the applicant shall submit the following information to the Planning Authority for written approval.

(i). There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant shall submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

(ii). The applicant shall 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:

- At least 5m from any building, public sewer, road boundary or structure.
- Generally, not within 3m of the boundary of the adjoining property.
- Not in such a position that the ground below foundations is likely to be adversely affected.
- 10m from any sewage treatment percolation area and from any watercourse / floodplain.
- Soakaways must include an overflow connection to the surface water drainage network.

(iii). Should a soakaway prove not to be feasible, then the applicant shall submit the following:

- Soil percolation test results demonstrating a soakaway is not feasible
- A revised surface water layout drainage drawing for the development showing the inclusion of the following SuDS (Sustainable Drainage Systems) features:

Rain Garden.

Rain Planter box.

Water butts.

Green roofs.

(iv). All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal.

(v). The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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

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(vii). All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

(ix). 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.

(x). 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 Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

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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.

3. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €1,473.31 (one thousand four hundred and seventy three euros and thirty one 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 in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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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: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

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REG. REF. SD22B/0005

LOCATION: 27, Anne Devlin Road, Dublin 14



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:

9/3/22



Eoin Burke, Senior Planner