

Comhairle Chontae Atha Cliath Theas

PR/0322/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0006 **Application Date:** 13-Jan-2022
Submission Type: New Application **Registration Date:** 13-Jan-2022
Correspondence Name and Address: Joe Fallon Architectural Design Ltd. Ryland House,
Ryland Street, Bunclody, Co. Wexford
Proposed Development: Alterations to previously granted planning
application, SD21B/0402. These alterations entail
enlarging the dormer extension to the rear of existing
dwelling and all associated works.
Location: 4, Old Orchard, Ann Devlin Road, Dublin 14
Applicant Name: Andrew Weadick
Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: Stated as 0.041 ha

Site Visited

15 February 2022

Site Description:

The subject site is a two storey, semi-detached unit with a rear garden located within an established residential area. The surrounding streetscape is characterised by similar semi-detached units. A large green space is located to the front.

Proposal:

Permission is sought for the following:

- Alterations to previously granted planning application SD21B/0402
 - Increased depth of rear first floor extension from 1.9m to 3.5m
 - Additional 8.2sq.m at first floor (measured from drawings)
 - No changes proposed to elevations or roof design.

Zoning:

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

Consultations:

Water Services – Further information requested

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Irish Water – No objection, conditions recommended

Submissions/Observations /Representations

Submission expiry date – 16/02/2022

No submissions or objections received.

Relevant Planning History

Application site

SD21B/0402: Permission granted for construction of a single storey extension to side and rear with rooflights; extension to existing dormer to front; extension to existing rear dormer and all associated site works.

Adjoining site to west

SD07B/0314: Permission granted for single storey pitched roof extension (5.1sq.m) to the rear incorporating a utility room, the existing dormer window to the rear to be modified and extended with a pitched roof dormer window (13.5sq.m.) to incorporate a new ensuite and dressing area off the master bedroom and enlarging one of the existing bedrooms.

Relevant Enforcement History

None recorded for the subject site

Pre-Planning Consultation

None recorded for the subject site.

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

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

For attic conversions and dormer windows:

- *Use materials to match the existing wall of roof materials of the main house;*
- *Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch;*
- *Locate dormer windows as far back as possible from the eaves line (at least 3 tile courses);*
- *Relate dormer windows to the windows below in alignment, proportion and character;*

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- *In the case of a dormer window extension to a hipped roof, ensure it sits below the ridgelines of the existing roof and matches the materials used in the main house.*

Relevant Government Guidelines

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

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

Sustainable Residential Development in Urban Areas - Guidelines for Planning

Authorities, Department of the Environment, Heritage and Local Government (2008).

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

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

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and Visual Amenity
- Services, Drainage and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council policy

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*. A residential extension is 'Permitted in Principle' under this zoning objective.

Residential and Visual Amenity

The permitted first floor rear extension (1.9m depth) would be amended to protrude 3.5m from the existing ground floor rear building line resulting in an increased floor area of 8.5sqm at first floor level. The rear elevation of the extension would remain unchanged, with no changes to materials or hipped roof design proposed.

It is noted that a first-floor extension has been permitted to extend 1.9m from the existing ground floor rear building line. This proposal seeks to further extend the rear projection by 1.6m to 3.5m. The projection would protrude approximately 4.2m (measured from drawings) when viewed from the north elevation of the neighbouring rear dormer. Given the north facing orientation of the dwellings, it is not considered that daylight experienced by the neighbouring dwelling would be significantly impacted as a result of the extension. It is noted that the previous

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report for SD21B/0402 stated that *'due to the fact the rear of the property is north facing, there would be limited access to daylight in this part of the property anyway.'*

The House Extension Design Guide recommends that for every 3m of height gained, 1m distance to a site boundary should be provided. In addition, extensions at first floor level should generally not be constructed within a 45-degree angle of the centre point of a nearby window. Justification for the scale of the permitted extension relies on the north facing aspect of the dwellings and the limited daylight experienced by rear rooms already. With regard to the proposed alterations to this extension, it is considered that the additional 1.6m protrusion would have a significant impact on the amenity of the first-floor rooms of the neighbouring dwelling and would have an overbearing and oppressive impact. It is noted that under SD07B/0314 on the adjoining site to the west, an extension protruding 2.5m was permitted at first floor level. This is considered the maximum acceptable extent for protrusion at this location. The applicant should be required by **condition** to have a first-floor rear extension of no greater than 2.5m in depth.

Water Services

Water Services has reviewed the application and recommended **further information** be sought in relation to soil percolation tests. It is noted that a **condition** attached to SD21B/0402 requires these tests to be submitted and therefore it is not considered necessary to request the information as part of this amendment application.

Irish Water has stated no objection to the development and has recommended **conditions** that all works are compliant with standards, codes and practices.

Appropriate Assessment

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

Environmental Impact Assessment

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

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Other considerations

Development Contributions

Permissible extensions (as per conditions): 65sq.m
Assessable Area: 25sq.m

SEA Monitoring Information

Building Use Type Proposed: Residential extension
Floor Area: 3sq.m (additional to SD21B/0402)
Land Type: Brownfield / Urban Consolidation
Site Area: 0.041 hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development proposed it is considered that, subject to 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 proposal would be consistent 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.

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REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. Previous Permissions.

The conditions of permission of Reg. Ref. SD21B/0402 shall continue to apply except where superseded by this permission or the conditions attached to this permission.

REASON: To clarify which conditions shall apply to this development.

3. Amendments

The first floor rear extension shall be amended such that it does not extend more than 2.5m from the existing first floor rear building line.

REASON: To protect the amenity of neighbouring properties.

4. (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) 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

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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.

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2,612.25 (two thousand six hundred and twelve euros and twenty five 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

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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.

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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REG. REF. SD22B/0006

LOCATION: 4, Old Orchard, Ann Devlin Road, 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: 09/03/2022

Colm Harte

Colm Harte,
Senior Executive Planner