

Comhairle Chontae Atha Cliath Theas

PR/0328/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0018 **Application Date:** 21-Jan-2022
Submission Type: New Application **Registration Date:** 21-Jan-2022
Correspondence Name and Address: Shaun McMahon 80, Boot Road, Clondalkin, Dublin 22
Proposed Development: Alterations to granted planning, Reg. Ref. SD21B/0452, consisting of: (1) construction of a 15.4sq.m first floor extension to the side of the existing dwelling; (2) removal of the side dormer granted under Reg. Ref. SD21B/0452
Location: 116, Ballyroan Road, Dublin 16, D16H6A2
Applicant Name: Barry & Gillian Redmond
Application Type: Permission
(AOCM)

Description of Site and Surroundings:

Site Area: stated 0.042 hectares.

Site Description:

The application site contains a two storey, semi-detached house, located on Ballyroan Road in a row of similar dwellings. The surrounding area is residential in nature.

Site visited:

15 February 2022

Proposal:

Permission is sought for to SD21B/0452 comprising the following:

- Construction of a 15.4sq.m. First floor extension over existing garage to side of dwelling
- Removal of previously permitted (not yet constructed) side dormer.

Zoning:

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

Consultations:

Surface Water Drainage – No objection, **conditions** recommended

Submissions/Observations /Representations

Submission expiry date – 24/02/2022

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No submissions or objections received.

Relevant Planning History

SD21B/0452: Permission granted for attic conversion to storage/boiler room; new dormer to the rear and side of existing hipped roof profile.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for 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

(i) Extensions

The design of residential extensions should accord with the South Dublin County Council House Extension Design 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).

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.

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Residential and Visual Amenity

Side extension

The first floor would be extended to the side of the property over the existing flat roof garage. This would increase the first-floor area by 15.4sq.m and would provide an additional bedroom and en-suite bathroom. A large window would be placed on the front façade, to match the existing fenestration, and 2 windows would be located on the rear façade serving the landing and en-suite. A distance in excess of 35m would be maintained between opposing above ground windows of the subject dwelling and neighbouring properties to the south. This is compliant with Section 11.3.1(v) of the Development Plan. A **condition** should be attached stating that the window serving the en-suite bathroom shall be obscure glazing, to protect privacy. As the landing window is located at the rear of the dwelling, it is not considered necessary to include a glazing **condition** in this instance.

The side extension would be constructed to the site boundary and would have a hipped roof, with a lower roof profile than the main dwelling. The design of the extension is similar to those constructed in the vicinity of the subject site, including the property to the immediate west. It is considered that the proposed development would not seriously impact on neighbouring properties in terms of residential or visual amenity, is similar to development already undertaken to a large extent in the area and would therefore be acceptable.

Removal of Side dormer

Under SD21B/0452 a side dormer was permitted that would be located on the western side of the property to serve stairs and a boiler room. As a result of the proposed first floor extension, the roof profile alterations mean this dormer would no longer be suitable. It is considered acceptable to grant permission for the removal of this element of the previous scheme.

Both the side extension and removal of the previously permitted side dormer are considered to be acceptable.

Services, Drainage and the Environment

Water Services has reviewed the application and has stated no objection. Their report recommends a **condition** is attached requiring the inclusion of water butts as part of SuDS measures. This **condition** would be difficult to enforce and should not be included in the event of a grant.

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.

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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.

Other

Development Contributions

| | |
|--|----------|
| Existing extensions (utility and dining room): | 12.7sq.m |
| First floor extension: | 15.4sq.m |
| Assessable area: | Nil |

SEA Monitoring

| | |
|-----------------------------|---|
| Building Use Type Proposed: | Residential Extension/Attic non-habitable |
| Floor Area: | 15.4sq.m |
| Land Type: | Brownfield/Urban Consolidation. |
| Site Area: | 0.042 Hectares. |

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, and the scale of the proposed development, 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.

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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. (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 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.

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(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.

3. Amendments - Glazing.

The en-suite bathroom window on the northern elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.

REASON: In the interest of residential amenity.

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.

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NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: The applicant is advised that in order to use the attic as a habitable room it must comply with the Building Regulations.

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REG. REF. SD22B/0018

LOCATION: 116, Ballyroan Road, Dublin 16, D16H6A2



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: 15.03.2022

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Colm Harte,
Senior Executive Planner