

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0011 **Application Date:** 19-Jan-2022
Submission Type: New Application **Registration Date:** 19-Jan-2022
Correspondence Name and Address: Graham McNevin 3, Killakee Gardens, Firhouse, Dublin 24
Proposed Development: Single storey extension to rear of existing dwelling and all associated site works.
Location: 47, Peyton Close, Stoney Lane, Rathcoole, Co. Dublin
Applicant Name: Billy O'Neill
Application Type: Permission

(NM)

Description of Site and Surroundings:

Site visit: 02/03/2022

Site Area: as stated 0.029 Hectares

Site Description:

The property is a semi-detached, three storey dwelling located on a corner site with dual frontage on Peyton Close, Stoney Lane in Rathcoole. The streetscape in this part of the estate consists of similar units with a uniform building line and is mainly residential in nature. Although the orientation of the property presents the front door entrance on the gable end of the property, the garden is considered to the rear of the dwelling.

It should be noted that the site location maps included differ from each other, one map indicates Peyton Close whereas the other OSI map indicates the site location as Peyton Court but refer to the same property and it appears that the OSI map is incorrect.

Proposal:

- Construction of a single storey extension to the rear of the existing dwelling including 2 velux style windows and all associated works.
- Proposed works total 29sqm

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

Zoning:

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

Consultations:

Irish Water - No objection subject to standard conditions.

Roads - No objection subject to standard conditions.

Water Services - Further Information required.

Submissions/Observations /Representations

No submissions received.

Relevant Planning History:

Subject Property

ED21/0061 – **Declared Not Exempt** - Having regard to the dual frontage nature of this dwelling, the proposed 34.8 sqm extension that would cover the entire landholding behind both front building lines, thereby leaving no private open space reserved exclusively for the use of the occupants of the house **to the rear of the house**, the proposal therefore does not comply with this Condition and Limitation 5 of Class 1 of Part 1 of 2 of the Planning and Development Regulations, 2001, as amended and cannot be deemed to be exempted development.

Adjacent

None

Relevant Enforcement History

None recorded.

Pre Planning

None recorded.

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

Section 2.4.1 Residential Extensions

Policy H17 – Residential Consolidation:

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

H17 Objective 1:

To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

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 2:

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).

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 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

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

Rear Extensions:

- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*

Section 11.3.2 (ii) Corner/Side Garden Sites of the South Dublin County Council Development Plan 2016-2022 :

- *in order to avoid blank facades and maximise surveillance of the public domain.*

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

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 relate to:

- Zoning and Council policy,
- Visual and Residential amenity,
- Service water and drainage.
- Roads
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

A development comprising a rear 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.

Visual and Residential Amenity

Visual

The proposed pitched roof single storey rear extension is sympathetic to the existing dwelling in terms of character and design and would integrate in a cohesive manner into the surrounding area. The gable wall of the property is in predominately painted render with partial brick façade on the ground floor and rear. The proposed development incorporates an existing sun room to the rear which is currently a brick façade but would be incorporated into the proposed extension and thus would be changed to painted concrete render under the proposal.

Residential

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

The proposed development projects 6.914m from the side gable (north-east) and would have width of 4.997m with a ridge height of 3.9m. The current sunroom has a ridge height of 4.05m (as part of original planning permission granted SD06A/0699). The 2 velux style windows on the north facing roof of the proposed extension are considered acceptable. The rear garden has 19sqm of space directly behind the proposed development with 3.4m to the boundary wall and an additional 84 sqm to the side of the building thus achieving the minimum private open space requirement for a four-bedroom house although this is predominately to the side of the dwelling. The boundary wall to the rear (east of the site) of the back garden abuts the gable end of the adjacent property. The property also benefits from a wider back garden due to its corner position with off street parking to the front and side entrance to the garden. There is also a timber garden shed in the rear garden. The proposed extension is considered overbearing in the site context as the existing property is 10.45m in depth with the proposed extension at 6.914m and constructed along the boundary of the site to the south. It is considered that the extension should be in proportion relative to the depth of the house. Having regard to the amenity of the dwelling to the south it is considered that the proposed rear extension should be reduced in depth to be no more than 5.5m deep from the main rear building line of the dwelling. This can be **conditioned**.

Service water and drainage

Surface Water Report

The report from Water Services highlights issues requiring further information in relation to the treatment of surface water with regard the proposed soakaway which must be addressed.

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 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:

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.

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

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

- a) Soil percolation test results demonstrating a soakaway is not feasible
- a) A revised surface water layout drainage drawing for the development showing the inclusion of the following SuDS (Sustainable Drainage Systems) features:
Green roofs, Rain Gardens, Rain Planter boxes and Water butts

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.

It is considered that these issues can be **conditioned**.

Flood Risk

No objections.

Water Report

No objections.

Foul Drainage Report

No objections.

Roads

No objections. However, it is not certain why the proposal was referred to the Roads Department given that there is no vehicular access or gate involved.

Screening for Appropriate Assessment

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

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.

Development Contributions

Development Contributions Assessment Overall Quantum

No previous Extensions

Proposed Side/Rear Extension: 29sqm (to be reduced by condition – quantum will be under 40sqm)

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

Assessable Area: NIL

SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 29sqm

Land Type: Urban Consolidation.

Site Area: 0.029 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 the proposed rear extension would be acceptable subject to being reduced in depth to 5.5m from the main rear building line of the dwelling.

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.
 - a) 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.
 - b) The proposed rear extension shall be reduced in depth and shall be a maximum of 5.5m deep from the main rear building line of the dwelling.

REASON: To ensure that the development shall be in accordance with the permission and

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

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) 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.

(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

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

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. Surface Water Drainage.

The drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Council's Water Services Section and or Irish Water.

In this regard, no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

(i) Fully detailed revised plans confirming that all the following requirements set out below, along with,

The required fully detailed revised plans shall provide for;

(a) Fully detailed foul and surface water drainage plans for the proposed development showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or Irish Water,

(b) 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.

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

(c) All works for this development as approved shall fully comply with the requirements of Irish Water which can be viewed/downloaded from www.water.ie, and The Greater Dublin Regional Code of Practice for Drainage Works which (as of February 2018) can be viewed /downloaded from the South Dublin County Council website at the following link

<http://www.sdcc.ie/sites/default/files/publications/greater-dublin-regional-code-of-practice-for-drainage-works.pdf>, the Irish Water Standard Details, (mandatory for all Irish Water Connection Agreement Offers issued after 6th June 2016 and available at <http://www.water.ie/help-centre/connections>) and the Building Regulations 2010 Technical Guidance Document B & H.

(d) Design details of any soakaway shall be submitted and these shall comply with the Council's Water Services Section requirements and clearly with appropriate fully detailed evidence, i.e. infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365. The soakaway design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance. The revised plans shall provide for a soakaway to be located within the curtilage of the property and shall be:

(i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.

(ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.

(iii) a minimum of 10m from any sewage treatment percolation area.

(iv) at least 10m from any stream / river / flood plain.

(v) only clean uncontaminated water shall be discharged to soakaways.

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

4. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following to the Planning Authority:

Revised plans that incorporate all of the following amendments-

(a) the proposed rear extension shall be reduced in depth and shall be a maximum of 5.5m deep from the main rear building line of the dwelling.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

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.

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.

Comhairle Chontae Atha Cliath Theas

PR/0335/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0011

LOCATION: 47, Peyton Close, Stoney Lane, Rathcoole, Co. Dublin

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: 15.03.22

Colm Harte

Colm Harte,

Senior Executive Planner