

Comhairle Chontae Atha Cliath Theas

PR/0389/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0545 **Application Date:** 26-Oct-2021
Submission Type: Additional **Registration Date:** 28-Feb-2022
Information

Correspondence Name and Address: Bright Design Architects 4, Seafield Park,
Booterstown, Blackrock, Co. Dublin.

Proposed Development: Demolition of single storey garage, garden shed and oil tank plinth to side (all abutting boundary wall); demolition of existing single storey extension to rear and existing stepped patio and supporting walls; retention of historical 2 storey extension to side/part rear; construction of new single storey extensions to side and rear; alterations to window and door openings; rooflights to new rear/side extension roofs; all associated internal, site, drainage and landscaping works including new raised patio with stepped access to rear.

Location: Hayfield House, Scholarstown Road, Rathfarnham,
Dublin 16

Applicant Name: Neil Colgan & Joan Duffy

Application Type: Permission and Retention

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.2045 hectares.

Site Description:

The application site contains a detached two storey house on a large plot on Scholarstown Road. The area is characterised by large, detached houses on large plots and emerging residential neighbourhoods.

Site visited:

12 November 2021

Proposal:

Permission is sought for the following:

- Demolition of single storey garage, garden shed and oil tank plinth to side of house and demolition of single storey extension to rear with stepped patio and supporting walls

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- Retention of two-storey extension to the side/part rear (measured from drawings approximately 76sq.m)
- Construction of single storey garage and utility extension to side with hipped roof and 1 rooflight (28sq.m)
- Construction of single storey extension to rear with butterfly roof, glazed doors to rear, windows on east and west elevation and 2 rooflights (24sq.m)
- Alterations to window and door openings
- Landscaping works including raised patio with stepped access to rear.

Zoning:

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

Consultations:

Surface Water Drainage – Further Information recommended

Irish Water – Further Information recommended

Submissions/Observations /Representations

Submission expiry date – 29/11/2021

No submissions or objections received.

Relevant Planning History

SD14B/0147: Permission and Retention Permission Granted for retention of single storey bay window to living room with extended pitched roof across open porch to front; permission for construction of new hipped pitched roof over first floor extension to front and side, reducing width of garage to allow for 1m wide side passageway to eastern boundary and forming new pitched roof over garage with Velux windows to front and rear; all associated site works.

SD10A/0307: Permission Granted by SDCC, refused by An Bord Pleanála following third party appeal. Detached, 2 storey, 4 bedroom dwelling (total GFA 220sq.m.) with ancillary car parking, site development and landscape works including a new vehicular entrance onto Scholarstown Road also form part of this application: (all on a site of c.0.668 ha).

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

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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*

Side extensions

- *Respect the style of the house and the amount of space available between it and the neighbouring property*
- *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 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.*
- *Avoid creating a terraced effect and awkward join between the rooflines of two adjacent properties if building up to the party boundary*

Rear extensions

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *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*

Relevant Government Guidelines

***Project Ireland 2040 National Planning Framework**, Government of Ireland (2018).*

***Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)*

***Rebuilding Ireland: Action Plan for Housing and Homelessness**, Government of Ireland (2016).*

***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).*

***Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities**, Department of the Environment, Heritage and Local Government, (2009).*

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy

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- 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 proposal includes the demolition of single storey garage, garden shed and oil tank plinth to side of house and demolition of single storey extension to rear with stepped patio and supporting walls, retention of two-storey extension to the side/part rear, construction of single storey garage to side, construction of single storey extension to rear and alterations to window and door openings as part of extension works. No other external alterations are noted from drawings.

Retention of Existing Two-Storey Side Extension

Under SD14B/0147 a hipped roof was permitted over the existing two-storey side extension; however, it is not clear when this extension was built, and retention is now sought for the works. From reviewing drawings submitted under SD10A/0307 and SD14B/0147, the two-storey extension has been in situ for at least 11 years and would therefore be outside the time period for enforcement action. The extension provides living areas at ground floor and bedrooms at first floor. The extension is in keeping with the style of the main dwelling, especially with the hipped roof which was constructed on foot of SD14B/0147. Retention of the extension is therefore considered acceptable.

Demolition

The side garage, garden shed, oil tank plinth and single storey rear extension with stepped patio and supporting walls will be demolished to allow for new extensions to the side and rear of the property. This is considered acceptable.

Garage Extension

The existing garage will be replaced with a new garage and extended utility area to the side of the property, extending the full depth of the existing house. A rear garden side access of 1.22m will be provided. The side garage extension will have a hipped roof with 1 rooflight and a painted render finish to match the existing dwelling. The House Extension Design Guide states garage doors should be designed to include vertical elements. No details have been provided about the materials proposed for the garage door however, vertical elements are indicated on the elevation. A **condition** should be attached to any grant guaranteeing vertical elements are incorporated into the design of the garage door.

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Based on the above, this extension is considered acceptable.

Rear Extension

A rear extension of approximately 24sq.m (measured from drawings) will replace the existing rear extension (10sq.m) and extend the kitchen and dining area. The extension would have a butterfly roof with large rooflights and be angled to maximise views into the rear garden, connecting to a new extended patio area. A rear garden exceeding 60 sqm would be retained and given the distance to neighbouring dwellings and existing mature vegetation along the site boundaries, it is not considered that there would be any issues of overshadowing or loss of daylight.

Based on the above, the rear extension is considered acceptable.

Services, Drainage and the Environment

Water Services has reviewed the application and has requested **additional information** as follows:

1.1 The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is required to submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development.

Note: *If a soakaway is proposed the applicant shall submit the following:*

- (a) a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.*
- (b) a 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 a public surface water sewer.**

Irish Water has also reviewed the application and has requested further information as follows:

The applicant has not submitted foul water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water

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systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. All works are to comply with Irish Water Standard Details for Wastewater Infrastructure available at (<https://www.water.ie/connections/Wastewater-Standard-Details.pdf>)

Reason: In the interest of public health and to ensure adequate water and wastewater facilities.

These reports have been considered in the assessment of this application. As a result of the extent of hardstanding proposed for the new patio area it is considered appropriate to request the **additional information** recommended in relation to the provision of SuDS, and for clarity it is also considered appropriate to request **additional information** as recommended in relation to foul water drainage.

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

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 submission of satisfactory **additional information**, 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.

Given the extent of patio area proposed, and lack of detailed services drawings provided, it is considered necessary to request additional information in relation to the following:

- Proposals for sustainable urban drainage systems
- Drawing showing existing and proposed foul water drainage layouts

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Recommendation

Request Further Information.

Further Information

Further Information was requested on 17/12/21

Further Information was received on 28/02/22

Consultations

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

Irish Water – No objection, **conditions** recommended

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is requested to submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development.

Note: If a soakaway is proposed the applicant is requested to submit the following:

- (a) A report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
 - (b) A 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 a public surface water sewer.
2. The applicant has not submitted foul water drainage plans for the proposed development. The applicant is requested to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water

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systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. All works are to comply with Irish Water Standard Details for Wastewater infrastructure available at (<https://www.water.ie/connections/Wastewater-Standard-Details.pdf>).

Assessment

The applicant has submitted drawings as requested and a letter from the agent date stamped 28th February 2022.

Water Services and Irish Water have reviewed the additional information provided and both have stated no objection subject to **conditions** that all works comply with Irish Water standards, codes and practices.

Other Considerations

Development Contributions

Retention (two-storey side extension): 76sq.m (measured from drawings)

Assessable Area for Retention: 76sq.m

Proposed extensions: 29.6sq.m (habitable)

Assessable Area: Nil

SEA Monitoring Information

Building Use Type Proposed: Residential extension

Floor Area: 53.5sq.m

Land Type: Urban Consolidation.

Site Area: 0.2045 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 & Grant Retention for the said development in accordance with the said plans and particulars, subject to

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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 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 28/02/2022, 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. External Finishes and Garage.
All external finishes shall harmonise in colour or texture that is complementary to the house or its context. Vertical elements shall be incorporated into the final design of the garage door.
REASON: In the interest of visual amenity.
3. Irish Water
All works shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure and Wastewater Infrastructure
REASON: In the interest of public health and to ensure adequate water and wastewater facilities.
4. (a) 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.

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(b) 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.

(c) 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.

(d) 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

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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 Contributions.

The developer shall pay to the Planning Authority a financial contribution of €7,941.24 (seven thousand nine hundred and forty one euros and twenty four 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 Act 2000 (as amended). This contribution is to be paid on receipt of Final Grant of Permission.

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 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.

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REG. REF. SD21B/0545

LOCATION: Hayfield House, Scholarstown Road, Rathfarnham, Dublin 16




Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission & Grant Retention 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:

28/3/22



Eoin Burke, Senior Planner