

Comhairle Chontae Atha Cliath Theas

PR/0404/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0046 **Application Date:** 07-Feb-2022
Submission Type: New Application **Registration Date:** 07-Feb-2022
Correspondence Name and Address: Justin O'Callaghan The Courtyard, 40, Main Street,
Blackrock, Co. Dublin
Proposed Development: Demolition of existing garage and store attached to
the side and rear of the existing house, and the
construction of a new 2 storey extension, area 76sq.m
to the side and rear of the existing house including all
associated internal alterations and site works.
Location: 27 Anne Devlin Avenue, Dublin 14
Applicant Name: Laura and Craig Sargeant
Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Area: 0.0289

Site Description:

This property is located on Anne Devlin Avenue, an established residential area. It is a semi-detached dormer style one and a half floor dwelling and the adjacent houses in the immediate vicinity are relatively similar in terms of style and building line.

Site Visit: 23/03/2022

Proposal:

- Demolition of existing garage and store attached to the side and rear of the existing house
- Construction of a new 2 storey extension, to the side and rear of the existing house including all associated internal alterations and site works.
- Works total area 76sq.m

Zoning:

The subject site is subject to zoning objective RES - *'To protect and / or improve Residential Amenity'* under the South Dublin County Council Development Plan 2016-2022.

Consultations:

Water Services – No objection.

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Irish Water – No objection.

SEA Sensitivity Screening

Indicates no overlap with the relevant environmental layers.

Submissions/Observations /Representations

None.

Relevant Planning History

Subject Property

None

Adjacent Property

SD18B/0330 - 28, Anne Devlin Avenue, Rathfarnham, Dublin 14 **Permission Granted** to demolish existing garage at side, erect new single storey extension at side and rear.

SD05B/0424 - 30 Anne Devlin Avenue, Rathfarnham, Dublin 14 **Permission Granted** for conversion of existing garage into habitable space and single storey extension to side of house (in front of existing garage) with a combined new single sloped tiled roof including 3 roof lights.

SD09B/0179 - 32, Orchardstown Avenue, Rathfarnham, Dublin 14 **Retention Granted** for revisions to granted planning permission register reference SD05B/0550 being the increase of 400mm in ridge height of the constructed two-storey extension and the addition of a half-hip gable end to the extension pitched roof.

SD09B/0178 - 30, Orchardstown Avenue, Rathfarnham, Dublin 14 **Retention Granted** for minor revisions to granted planning permission, Register Reference SD05B/0550, including an increase of 400mm in ridge height of proposed two storey extension and addition of a half-hip gable end to the proposed extension pitched roof.

Relevant Enforcement History

None

Pre-Planning Consultation

None

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

Section 2.4.1 Residential Extensions

Policy H17 – Residential Consolidation:

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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.

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).

South Dublin County Council House Extension Design Guide (2010)

Side extensions

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.*
- *Leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.*
- *Match the roof shape and slope of the existing house. In the case of houses with hipped roofs it can be particularly difficult to continue the ridge line and roof shape; however it is more visually pleasing to do so if this will not result in a terracing effect with the adjoining house.*

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.*

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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,
- Drainage.

Zoning and Council Policy

A residential 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.

Residential & Visual Amenity

Residential

It is intended that the proposed development will provide 76sqm of residential space over 2 floors consisting of a new entrance hall, utility room and playroom on the ground floor and two bedrooms and an ensuite WC on the first floor. The dwelling consists of 113sq.m with 12.5sq.m of that in use as a garage and stores intended to be demolished to allow for the extension to the east. The height to the pitch of the proposed two floor extension to the rear is approximately 6.5m and projects 4.6m from the back wall into the southerly facing rear garden whereas the existing garage is flat roofed at a height of 2.7m and projects 3.7m from the rear wall. The additional height should not cause significant overshadowing to the houses to the east and west given the orientation. Notwithstanding that the height to boundary ratio as recommended in the South Dublin County Council House Extension Design Guide (2010) of 1m distance for every 3m in height is not achieved it is considered that the proposal is acceptable and would not unduly impact on the residential or visual amenity of adjacent properties.

The garage is currently set back 6.6m from the front (north) elevation and it is proposed that the new extension will be set back approximately 1.8m from the front. The internal depth of the main existing dwelling is 8.8m internally and the rear extension would extend 4.4m internally and which would be considered acceptable. The dwelling would have 4 bedrooms and there would be approximately 80sq.m of rear garden amenity space and approximately 70sq.m in the front which would be considered compliant with the South Dublin County Council House Extension Design Guide (2010).

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Visual

The property is a semi-detached dormer style one and half floor bungalow and the proposed development will call for a hipped roof coming off the main pitch from the side gable (eastern) elevation turning to a pitched apex style roof to the rear (southern) elevation.

Both roof types are not the norm for the area although it should be noted that the roof types vary on different parts of the estate and the roofs on the units across the road at 32 and 34 differ significantly but do not appear to have planning permission. Number 35 Anne Devlin Road also has a very similar extension to this proposal although it too does not appear to have planning permission. Units 30 and 32 Orchardstown Avenue are in close proximity to the subject site, and both have two storey side extensions on semi-detached dormer bungalows but with half hipped 'Dutch' roofs rather than full hipped and the extensions to the rear are single storey. Having regard to the variety of roof types in the area it is considered that the proposed extension would be visually acceptable.

The side and rear extension roofs ridge height sits below the ridge height of the existing by approximately 200mm. The materials suggested match the existing elevations. There are rooflights proposed on the northern and eastern roof elevations which are considered acceptable. Given that the proposal is set back from the front and down from the main dwelling ridge line it should minimise its impact on the visual amenity of the area. In the context of the site, it would be considered acceptable subject to conditions.

Drainage

Surface Water Report

No objection subject to

- The applicant shall include Water Butts as part of additional Sustainable Drainage Systems (SuDS) measures for the proposed development.
- All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal

Flood Risk Report

No objection subject to standard conditions:

- 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.

Water and Foul Drainage Report

No objection subject to standard conditions. All development shall be carried out in compliance with Irish Water Standards codes and practices.

Conclusion

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No report received has raised any issues with the proposed development.

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

Side and Rear Extension:	76sq.m
Previous Extensions:	0sq.m
Assessable Area:	36sq.m

SEA Monitoring Information

Building Use Type Proposed:	
Floor Area:	76sq.m
Land Type: Urban Consolidation.	
Site Area:	0.0289Hectares

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.

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.

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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, 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.
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.

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(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).

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.

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3. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €3,761.64 (three thousand seven hundred and sixty one euros and sixty 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 Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

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.

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.

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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.

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REG: REF: SD22B/0046

LOCATION: 27 Anne Devlin Avenue, 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: 1/4/22

Eoin Burke

Eoin Burke, Senior Planner