

# Comhairle Chontae Atha Cliath Theas

**PR/0499/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD21B/0625      **Application Date:** 15-Dec-2021  
**Submission Type:** Additional      **Registration Date:** 23-Mar-2022  
Information

**Correspondence Name and Address:** Dara Challoner 26, Suir Road, Dublin 8

**Proposed Development:** Two storey extension to rear of 35.6sq.m. and a front porch extension of 2sq.m. with minor interior alterations as well as associated site works and the demolition of an existing external shed of 4sq.m.

**Location:** 5, St. Finians Close, Lucan, Co. Dublin

**Applicant Name:** Sarah & Summer Mayanja

**Application Type:** Permission

(EW)

### **Description of Site and Surroundings:**

**Site Area:** 0.0202 Hectares.

### **Site Description:**

The site is located on the southern side of St. Finians Close within the established St. Finians residential estate and contains a two-storey semi-detached dwelling with pitched gable end roof profile. The streetscape of St. Finians Close is characterised by semi-detached houses of similar form and appearance. The building line is slightly curved. Rear extensions are evident in the immediate area.

### **Proposal:**

- Two storey extension to rear of 35.6sq.m. and
- a front porch extension of 2sq.m. with
- minor interior alterations as well as associated site works and the demolition of an existing external shed of 4sq.m.

### **Zoning:**

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

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### **Consultations:**

Surface Water Drainage: No objection subject to conditions.

Irish Water: No objection subject to conditions.

*SEA Sensitivity Screening:* No overlap indicated.

### **Submissions/Observations /Representations**

None recorded for subject site.

### **Relevant Planning History**

None recorded for subject site.

### **Adjacent sites**

SD13B/0189 - 7 St. Finians Close, Lucan, Co. Dublin. **Permission Granted** for a Two storey rear extension and associated site works. (subject to a first-floor redesign by AI)

S98B/0663 - 4 St. Finians Close, Lucan, Co. Dublin. **Permission Granted** for a new two storey kitchen, utility room, bedroom and bathroom, extension to rear.

### **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.

#### *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).

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*Section 11.2.7 Building Height*

*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 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.*
- *Do not create a higher ridge level than the roof of the main house.*

#### **Relevant Government Guidelines**

***Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities***, Department of the Environment, Heritage and Local Government (2009).

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*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, (2009).

*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,
- Residential and visual amenity
- Services and drainage.

### ***Zoning and Council Policy***

The extension to the dwelling is consistent in principle with zoning objective 'RES' and would generally be in compliance with Council policy in relation to extensions to dwelling houses, as set out in South Dublin County Council House Extension Design Guide (2010), and in the Development Plan.

### ***Residential & Visual Amenity***

#### **Front Extension**

The proposal complies with the guidance set out for 'Front Extensions' in Section 4 of the 'House Extension Design Guide 2010' and is acceptable.

#### **Rear extension**

The two-storey gable-ended proposal extends to the south by 3.8m of the dwelling, with a ridge height of 7.4m. The architectural style of the rear roof does not reflect the pitched roof shape and slope of the main dwelling. The symmetry of the roof style is considered unbalanced and would not match the uniformed character of adjacent properties. The proposal does not comply with the guidance set out for 'Rear Extensions' in Section 4 of the 'House Extension Design Guide 2010' *'Match the shape and slope of the roof of the existing house'* and is not considered cohesive with development in the area. The applicant is requested by **additional information** to resubmit the roof design that is consistent with 'House Extension Design Guide 2010'.

It is noted that that the existing dwelling is semi-detached and the proposal is broadly mirroring the extension to the immediate west No. 4, St Finian's Close. It is also noted that the rear extension at No.7 St Finian's Close further east of the subject site, included a redesign by AI of the first-first floor element.

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Having regard to the south-easterly orientation of the proposed extension and the close proximity of No.6 St Finian's Close to the east, it is considered that the proposed two-storey structure with a 3.8m depth may cause undue overbearing impact or overshadowing to the neighbouring property.

The applicant shall be requested to reduce the depth of the first-floor extension to 3.0 meters from the proposed depth of 3.8m; hence stepping back the first floor element from the boundary with No 6 St. Finians Close, which would significantly reduce visual impact and potential for overshadowing. In addition, amendment of the rear extension roof profile from a high-pitched gable end to a proportioned and balanced pitched profile would further reduce the visual impact to acceptable levels.

It is noted that the rooflight above the bathroom would require relocating, these details may require some internal alteration to the existing house in order to provide useable rooms, however these amendments to the first floor rear extension are required in the interest of preserving residential amenity. These amendments should be sought as **Additional Information** in order to be consistent with the guidance set out in the 'House Extension Design Guide 2010'.

The proposal would result in a reduction in the area of private open space, however, the quantum rear open space to be retained is considered acceptable.

The proposed development would also seek permission for the demolition of an existing external shed of 4sq.m. No objections are raised in this regard.

#### ***Services & Drainage***

Regarding surface water drainage and flood risk, Water Services has no objections to the development subject to the inclusion of water butts and standard conditions.

Regarding water supply and foul water drainage, Irish Water has no objections for the development subject to compliance and standard conditions.

#### ***Screening for Appropriate Assessment***

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of an attic conversion, dormer window and change of roof profile.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

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it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore 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.

### **Development Contributions**

#### ***Development Contributions Assessment Overall Quantum***

Proposed Extension: 37.6sq.m  
Assessable Area: Nil

### **SEA Monitoring Information**

Building Use Type Proposed: Residential- Extension  
Floor Area: 37.6sq.m  
Land Type: Brownfield/Urban Consolidation.  
Site Area: 0.0202 Hectares.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan with the overall design and scale of the development proposed it is considered that a revised roof and first floor design shall be requested by Additional Information.

### **Recommendation**

#### **Further Information**

Further Information was requested on 17/02/2022  
Further Information was received on 23/03/2022

#### **Consultations:**

None requested.

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### **Submissions/Observations**

None received for this application.

The Further Information requested is as follows:

1. The symmetry of the proposed rear roof in style and slope is considered unbalanced and disproportioned. The proposal does not comply with the guidance set out for 'Rear Extensions' in Section 4 of the 'House Extension Design Guide 2010' 'Match the shape and slope of the roof of the existing house'.  
The applicant is requested to submit revised plans and elevations indicating the following amendments:-
  - (i) Replace the proposed gable end rear roof with a symmetrical balanced pitched roof.  
The amendments may require internal amendments to the dwelling such as relocation of the bathroom in order to maximise floorspace. Any amendments should be indicated on any resubmitted drawings
2. The first-floor rear extension as currently proposed would result in an unacceptable overbearing impact to the adjoining property, No. 6 St. Finians Close. The applicant is requested to submit revised plans and elevations indicating the following amendments:-
  - (i) Reduce the depth of the first-floor rear extension from 3.8 meters to 3.0 meters.  
The amendments may require internal amendments to the dwelling such as relocation of the bathroom in order to maximise floorspace. Any amendments should be indicated on any resubmitted drawings

### ***Item 1***

The symmetry of the proposed rear roof in style and slope is considered unbalanced and disproportioned. The proposal does not comply with the guidance set out for 'Rear Extensions' in Section 4 of the 'House Extension Design Guide 2010' 'Match the shape and slope of the roof of the existing house'.

The applicant is requested to submit revised plans and elevations indicating the following amendments:-

- (i) Replace the proposed gable end rear roof with a symmetrical balanced pitched roof.  
The amendments may require internal amendments to the dwelling such as relocation of the bathroom in order to maximise floorspace. Any amendments should be indicated on any resubmitted drawings.

### **Assessment**

The applicant has submitted drawings from *Dara Challoner Design (DCD)* dated the *March 2022*.

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(i) The applicant in response to the AI request has replaced the proposed gable end rear roof with a symmetrical balanced pitched roof. The amendments re-adjusted the the bathroom and have indicated the amendments on the resubmitted drawings titled '*sections*' dwg ref *P2002* and '*First Floor Plan*' dwg ref *P1011*.

The proposal now complies with the guidance set out for 'Rear Extensions' in Section 4 of the 'House Extension Design Guide 2010' 'Match the shape and slope of the roof of the existing house'. This is considered acceptable.

### ***Item 2***

The first-floor rear extension as currently proposed would result in an unacceptable overbearing impact to the adjoining property, No. 6 St. Finians Close. The applicant is requested to submit revised plans and elevations indicating the following amendments:-

(i) Reduce the depth of the first-floor rear extension from 3.8 meters to 3.0 meters.

The amendments may require internal amendments to the dwelling such as relocation of the bathroom in order to maximise floorspace. Any amendments should be indicated on any resubmitted drawings.

### **Assessment**

(i)The applicant has submitted revised plans and elevations indicating a reduce depth of the first-floor rear extension from 3.8 meters to 3.0 meters as requested. The reduced size is indicated under drawings titled '*site plan / proposed roof plan*' dwg ref *P0100*, '*First Floor Plan*' dwg ref *P1011* and '*side & contextual elevations*' dwg ref *P2001*. This is considered acceptable.

The Planning Authority considers that the proposal is now consistent with the requirements of the County Development Plan or the guidance set out in the South Dublin County Council House Extension Design Guide (2010) in respect of rear extensions. The proposed design is deemed to be acceptable. Accordingly, a grant of planning permission is recommended.

### ***Development Contributions***

#### ***Development Contributions Assessment Overall Quantum***

Proposed Extension: 35.8 sq.m  
Assessable Area: Nil

### **SEA Monitoring Information**

Building Use Type Proposed: Residential- Extension  
Floor Area: 35.8 sq.m  
Land Type: Brownfield/Urban Consolidation.  
Site Area: 0.0202 Hectares.



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#### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, in this instance, 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.

#### **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 23/03/2022, 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. Drainage - Surface Water.
  - (i) Include water butts as part of SuDS (Sustainable Drainage Systems) measures for the development.
    - All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal
    - The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

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.

3. (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) All development works for water and foul shall be carried out in compliance with Irish Water Standards codes and practices.

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 rise to unacceptable levels of noise pollution as set out generally for evening and night-

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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.

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: 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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**REG. REF. SD21B/0625**

**LOCATION: 5, St. Finians Close, Lucan, Co. Dublin**

*Colm Harte*

Colm Harte,  
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:**

19/4/22



Eoin Burke, Senior Planner