

Comhairle Chontae Atha Cliath Theas

PR/0583/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0031 **Application Date:** 27-Jan-2022
Submission Type: Additional **Registration Date:** 12-Apr-2022
Information

Correspondence Name and Address: Jeremy Kelly Unit 18, The Walk, Louisa Valley,
Leixlip, Co. Kildare

Proposed Development: Single storey side and rear extension.

Location: The Green, Main Street, Rathcoole, Co. Dublin.

Applicant Name: Michael Melady

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.05025 hectares

Site Description:

The application site contains a single storey, detached house, located on the west end of Main Street, Rathcoole. The site contains a single storey four bay vernacular cottage dating from the late 18th or early 19th century, which has been altered over time with various additions including a front porch and rear extension. The surrounding area is a mix of residential and village centre uses.

Site visited:

10 March 2022

Proposal:

Permission is sought for the following:

- Single storey side and rear extension (61sq.m)

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 – No objection, **conditions** recommended

Conservation – No objection, **conditions** recommended

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SEA Sensitivity Screening

Indicates overlap with:

- Record of Monuments and Places 2016
- Areas of Archaeological Potential 2016
- Architectural Conservation Areas 2016

Submissions/Observations /Representations

Submission expiry date – 02/03/2022

1 submission was received including as follows:

- Proposal does not include any boundary alterations/finishes
- No landscaping plans
- Application form does not state property is within an ACA and does not reference previous application SD18A/0115
- Application has not adhered to previous guidelines for future applications specified in SD18A/0115

Relevant Planning History

SD18A/0115: Permission refused for the following: Demolish existing bungalow and construct fully serviced two storey dwelling, connect to public sewerage and all associated works. (The proposed development is located in an Architectural Conservation Area (ACA)). The decision was appealed to An Bord Pleanála who upheld the decision of SDCC.

ABP reasons for refusal:

1. The proposed development would adversely affect an Architectural Conservation Area. The Rathcoole Architectural Conservation Area has been included in the current Development Plan for the area. Within the Plan, it is the policy of the Council, as set out at HCL4 Objective 1, HCL5 Objective 1, and HCL5 Objective 3, in particular, to avoid the removal of structures that positively contribute to the character of Architectural Conservation Areas, to retain existing houses (whilst not listed as Protected Structures) which are considered to contribute to the historic and local character within the county, and to encourage the retention, rehabilitation, renovation and reuse of older buildings where such buildings contribute to the collective interest or character of the surrounding area. Demolition of a habitable house, which is capable of sensitive of extension, would materially contravene the above-referenced policies of the Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed development would set an undesirable precedent for other similar developments within Architectural Conservation Areas, which would, by themselves and cumulatively, be harmful to the visual amenities of the area, would adversely affect Architectural Conservation Areas, and would, therefore, be contrary to the proper planning and sustainable development of the area.

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SD08A/0204: Permission refused for demolition of existing derelict dwelling and 2 no. sheds and construct a 2 and a half storey building consisting of 2 shop units (101.66sq.m) on ground floor & 2 office units (203.32sq.m) on the other 2 floors, connection to public services, car parking to rear, loading bay to front and associated site works.

Relevant Enforcement History

No recent relevant enforcement recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Section 11.3.3 Additional Accommodation

(i) Extensions

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

HCL Policy 1 – Overarching

HCL Policy 4 Architectural Conservation Areas

HCL4 Objective 1: To avoid the removal of structures and distinctive features that positively contribute to the character of Architectural Conservation Areas including buildings, building features, shop fronts, boundary treatments, street furniture, landscaping and paving.

HCL4 Objective 2: To ensure that new development, including infill development, extensions and renovation works within or adjacent to an Architectural Conservation Area (ACA) preserves or enhances the special character and visual setting of the ACA including vistas, streetscapes and roofscapes.

HCL4 Objective 3: To address dereliction and promote appropriate and sensitive reuse and rehabilitation of buildings, building features and sites within Architectural Conservation Areas.

HCL Policy 5 - Older Buildings, Estates and Streetscapes

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HCL5 Objective 1: To retain existing houses that, while not listed as Protected Structures, are considered to contribute to historic character, local character, visual setting, rural amenity or streetscape value within the County.

HCL5 Objective 2: To ensure that the redevelopment of older buildings, including extensions and renovation works do not compromise or erode the architectural interest, character or visual setting of such buildings including surrounding housing estates or streetscapes.

HCL5 Objective 3: To encourage the retention, rehabilitation, renovation and re-use of older buildings and their original features where such buildings and features contribute to the visual setting, collective interest or character of the surrounding area.

11.5.3 – Architectural Conservation Areas

11.5.4 – Older Buildings, Estates and Streetscapes

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).

Architectural Heritage Protection: Guidelines for Planning Authorities, Department of Arts, Heritage and the Gaeltacht (2011).

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
- Residential and visual amenity
- Architectural Conservation
- Services, Drainage and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

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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.

Within the Development Plan, Sections 9.1.3 and 9.1.4 address Architectural Conservation Areas and development of older building stock. Of particular relevance are the following:

- HERITAGE, CONSERVATION AND LANDSCAPES (HCL) Policy 4 Architectural Conservation Areas states *'it is the policy of the Council to preserve and enhance the historic character and visual setting of Architectural Conservation Areas and to carefully consider any proposals for development that would affect the special value of such areas.'*
- HCL5 Objective 2 states it is an objective of the Council *'to ensure that the redevelopment of older buildings, including extensions and renovation works do not compromise or erode the architectural interest, character or visual setting of such buildings including surrounding housing estates or streetscapes.'*

Residential and Visual Amenity

The proposal includes a single storey, pitched to flat roof side and rear extension (61sq.m). No other external alterations are noted from drawings.

The extension would provide two additional bedrooms, a bathroom, and large open plan kitchen and family room. The existing kitchen would become a utility room and a small open courtyard would be created in the space between the two existing extensions, and the proposed rear extension. A private terrace (20sq.m) would be provided at the front of the extension, along the side of the existing dwelling, and drawings indicate that approximately 200sq.m rear space would remain. It is noted that this appears to currently be hardstanding for car parking.

The extension would provide 61sq.m additional floor area to the dwelling, setback from the front building line appropriately to indicate a later addition to the house. The existing dwelling is 71sq.m, with the extension representing an 85% increase to the floor area of the dwelling. The extension would connect to the rear building line of the existing dwelling, absorbing existing ad hoc extensions to the rear. The depth of the extension would be 8.69m, while the original cottage depth (excluding later additions) is 5.15m. This represents an increase in depth of over 100%. While this could be considered excessive, the extension would not be greatly visible from the street, given mature planting along the site boundary, and would clearly represent a later addition to the property, distinguishing the original cottage from later additions. In this regard, the extension is considered acceptable.

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The roof of the proposed extension would comprise asymmetrical pitched sides and a flat roof at the peak, reaching the same maximum height of the existing dwellings pitched roof, 4.755m. This is considered appropriate and ensures the original dwelling remains the main focal point when viewed from the street.

The applicants have not provided any information in relation to boundary treatments or landscaping plans. As noted below, the SDCC Conservation Officer has recommended that the front boundary walls, gate and defined boundary ought to be retained, but has sought details of boundary treatments to the side and rear. Boundary treatment and landscape plans could be agreed by **condition**, but in combination with landscape plans and other issues on the site (see water services below), it is considered appropriate that **additional information** is sought on these items.

Based on the above, the proposed extension is considered acceptable in principle.

Architectural Conservation

The SDCC Architectural Conservation Officer has reviewed the application and in email correspondence has stated the following:

It is considered that the proposed development which is located to the side (set-back) and rear will not directly impact on the character of the ACA. The proposed extension to the existing cottage allows the existing cottage to be adapted to modern family living and is simple in its design and form. It is considered that the front boundary walls, gate and defined boundary should be retained and that details of the side and rear boundary treatment should be submitted by way of condition.

The ACO recommends the following **conditions** in the event of a grant:

- *The proposed materials for the new extension will match the existing roof finish and external rough cast render finish. It is proposed to insert new uPVC windows and rear sliding doors to the new addition. Although the existing windows of the cottage are also uPVC this is not an appropriate material or window type within an ACA. It is therefore recommended that the applicant be requested to insert timber windows and consider replacing the existing uPVC windows to the existing cottage in order to provide a cohesive window type in keeping with traditional features/materials within an ACA. A schedule of materials and finishes for the proposed development should be submitted for approval and agreement in addressing the above issue.*
- *The existing front boundary walls, gate and defined boundary are to be retained, which will ensure the features of the existing boundary to the Main Street are kept. Details of the side and rear boundary treatment and details of the private open space areas should be submitted by way of condition. This will ensure the new boundaries and private open space areas are designed to suit the location within an ACA.*

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The above **conditions** are considered appropriate. Although the windows to the front are not proposed for alterations under the application, the works comprise major changes to a structure in an ACA and it is reasonable to require such changes to protect and enhance the character of the ACA, as part of this development.

Services, Drainage and the Environment

Water Services have reviewed the application and have recommended **additional information** is sought as follows:

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 to manage excess surface water run off.

Note: Where a soakaway / infiltration system is proposed then the applicant is required to submit soil percolation test results, design calculations and dimensions to the Planning Authority to demonstrate that the proposed soakaway is feasible in accordance with BRE Digest 365 – Soakaway Design. The applicant is also required to submit a drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway to the Planning Authority. 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 the surface water drainage network.*

Given the level of hardstanding at the site, and the scale of the new development, it is considered appropriate to request the **additional information** to ensure sufficient provision of sustainable surface water drainage.

Irish Water has reviewed the application and stated no objection. Their report recommends standard **conditions** in relation to compliance with Irish Water standards, codes and practices is attached in the event of a grant. It is considered appropriate to include these.

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 a house extension.

Having regard to:

- the small scale and domestic nature of the development,

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

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.

Conclusion

The following **additional information** should be requested:

- a landscaping plan including boundary treatment details and SuDS measures
- a site plan clearly detailing proposed SuDS measures

Recommendation

Request Further Information.

Further Information

Further Information was requested on 22/03/22

Further Information was received on 12/04/22

Consultations

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

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

Architectural Conservation Officer – No response received to date

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. *The applicant is requested to submit a landscaping plan for the site including, but not limited so, details on boundary treatments and the inclusion of Sustainable Urban Drainage Systems (SuDS). The existing front boundary walls, gate and defined boundary shall clearly be shown as retained and the side and rear boundary should complement these.*

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2. *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 to manage excess surface water run off.*

Note: Where a soakaway / infiltration system is proposed then the applicant is required to submit soil percolation test results, design calculations and dimensions to the Planning Authority to demonstrate that the proposed soakaway is feasible in accordance with BRE Digest 365 – Soakaway Design. The applicant is also required to submit a drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway to the Planning Authority. 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 the surface water drainage network.*

Assessment

The applicant has submitted a report and drawings as requested and a letter from the agent *Architectural Planning* date stamped 12th April 2022.

Item 1 – Landscaping Plan

The applicant has submitted a document specifying the existing boundary treatments, stating that no changes are proposed, with only minor repair works necessary and a plan highlighting proposed SuDS measures. This is considered acceptable, subject to the **condition** recommended by Water Services, detailed below.

Item 2 -SuDS

Water Services has reviewed the additional information and has stated no objection. Their report recommends the following **condition** is included in the event of a grant:

- 1. Include further SuDS (Sustainable Drainage Systems) features for the proposed development such as rain garden planter boxes with overflow to the existing surface water drainage network.*

This **condition** is considered acceptable to ensure the provision of an adequate level of SuDS measures at the site.

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Conclusion

The development subject to conditions, is considered to be consistent with the zoning objective 'RES' – *'To protect and/or improve residential amenity'*, and the relevant provisions in the County Development Plan 2016-2022 and is considered acceptable.

Other Considerations

Development Contributions

Existing extensions: 13sq.m
Proposed extensions: 61sq.m

Assessable Area: 34sq.m

SEA Monitoring Information

Building Use Type Proposed: Residential extension
Floor Area: 61sq.m
Land Type: Residential Consolidation.
Site Area: 0.05025 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 for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

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SECOND SCHEDULE

Conditions and Reasons

1. Development 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 12/04/2022, 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. (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

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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.

3. Sustainable Urban Drainage Systems

Further SuDS (Sustainable Drainage Systems) features for the proposed development shall be included such as rain garden planter boxes with overflow to the existing surface water drainage network.

REASON: To ensure the adequate provision of high quality SuDS measures.

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4. Architectural Conservation

(A) The proposed materials for the new extension will match the existing roof finish and external rough cast render finish. It is proposed to insert new uPVC windows and rear sliding doors to the new addition. Although the existing windows of the cottage are also uPVC this is not an appropriate material or window type within an ACA (Architectural Conservation Area). The applicant shall insert timber windows and consider replacing the existing uPVC windows to the existing cottage in order to provide a cohesive window type in keeping with traditional features/materials within an ACA. A schedule of materials and finishes for the proposed development shall be submitted for the approval and agreement of the Planning Authority, addressing the above issue, prior to the commencement of development.

(B) The existing front boundary walls, gate and defined boundary shall be retained, which will ensure the features of the existing boundary to the Main Street are kept. Existing boundaries shall be maintained and repaired sympathetically where necessary during the renovation. Deviation from the submitted details is not considered to be acceptable. This will ensure the boundaries are designed to suit the location within an ACA.

REASON: To protect the special character and amenity of the ACA.

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €3,552.66 (three thousand five hundred and fifty two euros and sixty six 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.

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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. SD22B/0031

LOCATION: The Green, Main Street, Rathcoole, Co. Dublin.



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: 09/05/2022



Colm Harte,
Senior Executive Planner