

Comhairle Chontae Atha Cliath Theas

PR/0636/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0128 **Application Date:** 28-Mar-2022
Submission Type: New Application **Registration Date:** 28-Mar-2022
Correspondence Name and Address: Anthony Byrne, Canavan & Byrne Planning & Design 15, The Woods, Rathdrum, Co. Wicklow
Proposed Development: Construction of a single storey extension to the side & rear of the existing two storey dwelling and all associated site works.
Location: 28, The Rise, Kingswood Heights, Dublin 24
Applicant Name: Dean & Nicola McLaughlin
Application Type: Permission

(NM)

Description of Site and Surroundings:

Site visit: 2/5/2022

Site Area: as stated 0.02 Hectares.

Site Description:

The subject site is located on The Rise off Kingswood Avenue residential estate. The property is a two storey, detached dwelling with a pitched roof, off street parking to the front and gardens to the front and rear. The immediate vicinity is predominately residential in nature with a varying building heights and residential types.

Proposal:

- Construction of a single storey extension to the side & rear of the existing two storey dwelling and all associated site works.
- Demolishing sheds and extension to the side/rear and part of existing dwelling totalling 13.2sq.m
- Total gross floor space of proposed works is 36.9sq.m

Zoning:

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

Consultations:

Surface Water Drainage – Request additional information.

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Irish Water – No objection subject to standard conditions.

SEA Sensitivity Screening

No overlapping layers.

Submissions/Observations /Representations

No submissions received.

Relevant Planning History

Subject Site:

None.

Adjacent Sites:

SD20B/0378 - 10, The Rise, Kingswood Heights, Dublin 24 **Permission for Retention Granted** for single storey extension to side & rear of existing dwelling with internal alterations and all associated site works.

SD17B/0092 - 39 The Rise, Kingswood Heights, Dublin 24. **Permission Granted** for single storey extension at side on site of existing courtyard with 'Velux' roof light and a pitched roof canopy to front of house.

SD16B/0354 - 24, The Rise, Kingswood Heights, Dublin 24. **Permission for Retention Granted** for retention of ground floor garage conversion to bedroom with ensuite, first floor side extension with bedroom, ensuite and study with tiled roof over, internal alterations and all associated site works.

Relevant Enforcement History

None on record.

Pre-Planning Consultation

None on record.

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

Section 2.4.1 Residential Extensions

Policy H17 – Residential Consolidation:

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

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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).

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

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.*
- *Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.*
- *Do not incorporate blank gable walls where extensions face onto public footpaths and roads.*
- *Avoid the use of prominent parapet walls to the top of side extensions.*

Rear Extensions:

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

Relevant Government Guidelines

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

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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,
- Screening for Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

A development comprising a side and rear extension would be 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

The proposed development consists of 36.9sqm of residential space to the rear (south-west) and side (southeast) of the existing dwelling. The proposal has a depth of 6.56m from the rear of the existing dwelling whilst the depth of the entire existing dwelling is 8.5m. The length of the rear extension would be disproportionate to the depth of the dwelling and would have an overbearing impact on the adjacent dwelling and would reduce the depth of the rear garden to an unacceptable level. Having regard to these issues it is considered that the depth of the rear extension should be limited to a maximum of 5.5m from the main rear building line of the dwelling and this can be **conditioned**.

The development extends out to the southeast by approximately 1.315m leaving a 1m distance to the boundary of the adjacent property which is considered appropriate.

The ridge height of the proposed is 3.405m which should not lead to any substantial overshadowing or overlooking of the adjacent properties. The development also calls for the demolition of the shed to the rear of the back-garden totalling 14.4m thus increasing the outdoor amenity space for the inhabitants to 32sqm. The distance to the rear boundary to the southwest would be approximately 3.4m. Overall, the proposed development should not seriously injure the residential amenity of the area subject to conditions.

Visual

The development of the side extension will be visible from the front (northeast elevation) onto The Rise and there will be one window and the render shall match the existing which is

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considered consistent with proper planning and sustainable development. There is a communal green area directly to the south of the existing dwelling abutting the rear boundary wall which has a height of approximately 1.8m. The proposed will be partially visible from the green but given the sympathetic approach to the materials and design, it would not have a negative impact on the visual amenity of the area.

Conclusion

Having regard to the scale and size of the development, it is considered that the proposed is acceptable subject to conditions.

Drainage

Surface Water Drainage

The applicant has proposed to discharge surface water run-off from the proposed development to the foul water drainage network. This is not acceptable as surface water run-off is not permitted to discharge to the foul drainage network. The applicant is required to submit a revised drainage layout drawing which includes the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. It is noted that the area is serviced by public surface water drainage networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdublincoco.ie.

Flood Risk

No objections subject to standard conditions.

Water and Foul

Irish Water have no objection subject to standard conditions.

Conclusion

The reports from both Irish Water and Water Services are noted and it is considered that these matters can be dealt with by way of **condition**.

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 side and rear single storey extension.

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 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 Side/Rear Extension:	36.9sq.m
Assessable Area:	0sq.m

SEA Monitoring Information

Building Use Type Proposed:	
Floor Area:	36.9sq.m
Land Type: Urban Consolidation.	
Site Area:	0.02 Hectares.

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. It is considered that the proposed extension would be in compliance 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.

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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 in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Surface Water.
The applicant has proposed to discharge surface water run off from the proposed development to the foul water drainage network. This is not acceptable as surface water run off is not permitted to discharge to the foul drainage network. Prior to development, the applicant is required to submit a revised drainage layout drawing which includes the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. It is noted that the area is serviced by public surface water drainage networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdblincoco.ie.
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.
3. Amendment to depth of single storey rear extension.
The single storey rear extension shall extend no more than 5.5m in depth from the rear building line of the existing dwelling.
REASON: to reduce impact on the adjacent property, to maintain a proportion between the existing house and the proposed extension and to maintain adequate rear garden space.
4. (a) External Finishes.
All external finishes shall harmonise in colour or texture that is complementary to the

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house or its context.

REASON: In the interest of visual amenity.

(b) Restriction on Use.

The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

REASON: To prevent unauthorised development.

(c) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

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

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give 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

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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: 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.

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NOTE: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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REG. REF. SD22B/0128

LOCATION: 28, The Rise, Kingswood Heights, Dublin 24



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:

20/5/22



Eoin Burke, Senior Planner