

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0028

Application Date: 26-Jan-2022

Submission Type: Additional
Information

Registration Date: 04-May-2022

Correspondence Name and Address:

Alison Clarke 1st Floor, 2 Chapel Hill, Lucan, Co.
Dublin, K78 A6P7

Proposed Development:

Alterations to previously granted planning permission, Ref. number SD20/0419: single storey entrance lobby to the north elevation with roof light over; reconfiguration of ground floor kitchen, dining area, utility and office space with introduction of a new fixed roof light over living room area to the rear south elevation; first floor master bedroom, bathroom and walk-in wardrobe layout reconfiguration; roof light to southwest of existing main pitched roof re-positioned and overall size increased; design change to dormer windows located to the northeast elevation; 2 feature external planters to ground and first floor level located on the north elevation; minor internal alterations to existing dwelling and demolition of existing concrete shed, inclusive of all associated site works.

Location:

36, Kew Park Crescent, Lucan, Co. Dublin

Applicant Name:

Sarah Duke and Philip Tomlinson

Application Type:

Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.039 hectares.

Site Description:

The application site contains a two storey, semi-detached A-frame bungalow, located on Kew Park in a row of similar dwellings. The surrounding area is residential in nature

Site visited:

10 March 2022

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

Proposal:

Permission is sought for alterations to SD20B/0419 comprising the following:

- Construction of single storey porch to side (6.6sq.m.)
- Alterations to design of ground floor rear extension creating an L-shape, previously permitted stepped floorplan.
- Extension of first floor master bedroom suite (8.2sq.m additional floor area)
- Increased size of rooflights
- Alterations to design of dormer windows on northeast elevation
- Placing of 2 feature external planters on north elevation
- Other internal alterations
- Demolition of concrete shed

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

SEA Sensitivity Screening

No overlap with relevant environmental layers

Submissions/Observations /Representations

Submission expiry date – 1 March 2022

No submissions or objections received.

Relevant Planning History

SD20B/0419: Permission Granted for the following:

- Two storey extension to side (east) and rear (south) elevations of existing dwelling to include for kitchen, living room, toilet, pantry and study on ground floor with master bedroom;
- en-suite and walk in wardrobe to first floor level with associated internal reconfiguration to both floors;
- re-positioning of main entrance/doorway from the side (east) to the front (north) elevation; new roof dormer to the side (east) roof elevation inclusive of all associated drainage and site work externally.

Relevant Enforcement History

None recorded for subject site.

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

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*

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).*

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and visual amenity
- Services, Drainage and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is subject to zoning objective 'RES' - '*To protect and/or improve residential amenity*'. A residential extension is 'Permitted in Principle' under this zoning objective.

Residential and Visual Amenity

The proposal comprises alterations to previously approved development SD20B/0419.

Ground Floor Alterations

A stepped rear extension projecting 8.9m along the eastern site boundary was previously approved, comprising a utility room, corridor and home office. In addition, a previous patio area along the western site boundary was to be infilled and extended as part of the ground floor extension.

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

Ground floor alterations provide for an L-shaped extension, projecting 1.7m along the eastern site boundary and an elongated extension now located on the western site boundary, projecting 5.9m from the rear building line of the adjoining property. An existing rear shed would also be demolished as part of these alterations. This demolition is considered acceptable.

The previous ground floor layout provides for an extension along the eastern boundary. Given the orientation of properties the impact on the dwelling to the east would have been slight, especially as a shed was previously located along this boundary. The reorientation of the layout provides for a large protrusion along the western boundary and there would be a concern that this would impact the daylight enjoyed by the dwelling to the west. The extension along the western boundary provides for a living room and office space. It is considered that the depth of the protrusion along this boundary should be reduced so as not to give rise to unacceptable levels of overshadowing and loss of light to the neighbouring dwelling. A 5.9m flank wall is proposed along the boundary. To be acceptable this should at least be halved. The applicant should be requested to amend this element of the proposal through **additional information**. It is noted that no western elevation has been submitted, showing the impact of this protrusion on the property to the west. The rear elevation shows the parapet of home office extension as being higher than the rest of the rear extension, at 3.27m compared with 2.82m. This creates a disjointed appearance when viewed from the rear and would result in greater impact to the adjoining property to the west. The House Extension Design Guide states that prominent parapet walls should be avoided. The applicant should be requested to reduce the height of this parapet to lessen the impact on the neighbouring dwelling. This should also be submitted as **additional information**, providing revised elevations of the rear and western elevations.

Alterations also include a flat roof side extension providing for a relocated entrance. This is considered acceptable. Other internal ground floor layout alterations are considered acceptable.

First Floor Alterations

The first-floor extension would be altered to protrude 1.6m from the rear building line of the adjoining property along the eastern site boundary. This would provide an extra 8.2sq.m to the master bedroom suite. The protrusion of 1.6m along the eastern boundary is considered excessive and would have an overbearing impact on the neighbouring dwellings to the west and east. This should be reduced by **additional information** to provide no more than 0.6m additional depth to that already permitted.

On the north elevation, the window serving the en-suite would be changed from a long high window to a standard, narrow, rectangular window. A **condition** should be attached to a grant stating that this window shall be obscure glazing, to protect privacy. It is not considered that these alterations would have a significant impact on the neighbouring dwelling and the works are considered acceptable.

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

Dormer Window

The depth of the dormer window, when viewed from the front, would be extended from 2.42m to 3.277m, into the roofscape. This increases the height of the top of the dormer to 5.97m from a previously approved height of 5.5m. This change is considered marginal and, given the maximum ridge height of the existing dwelling (0.5m), is considered acceptable.

Rooflights are no longer proposed on the dormer and instead only windows would be provided facing east. This is considered acceptable.

Other External Alterations

Concrete planters are proposed on the north elevation, one at ground level and one at first floor level, on the flat roof of the side extension. 2 rooflights would be placed on the eastern elevation of the roof, replacing 3 previously permitted. These changes are considered acceptable.

Services, Drainage and the Environment

Water Services has reviewed the application and has recommended **additional information** be sought as follows:

1.1 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

1.1 The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

- i) At least 5m from any building, public sewer, road boundary or structure.*
- ii) Generally, not within 3m of the boundary of the adjoining property.*
- iii) Not in such a position that the ground below foundations is likely to be adversely affected.*
- iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- v) Soakaways must include an overflow connection to the surface water drainage network.*

It is noted that the **additional information** recommended is the same information required to be submitted prior to commencement of development under **Condition 2** of SD20B/0419. In the event that **additional information** is recommended, these items should also be sought.

Irish Water has reviewed the application and has no objection. **Conditions** in relation to connection agreements and compliance with Irish Water standards, codes and practices are recommended. These should be included in the event of a grant.

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

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,
- 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

Additional information should be sought in relation to the following:

- Revised plans showing a reduced depth of ground floor extension along the western site boundary
- Revised rear and west elevations
- Reduced depth of first floor rear extension to no more than 0.6m additional depth
- Soil percolation test results
- Plan & cross-sectional views, dimensions, and location of proposed soakaway

Recommendation

Request Further Information.

Further Information

Further Information was requested on 14/03/22

Further Information was received on 04/05/22

Consultations

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

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. *It is considered that the ground floor extension along the western site boundary, that would protrude 5.9m from the rear building line of the adjoining property, is too deep and would have a negative impact on the amenity of the dwelling to the west. The applicant is requested to reduce the extent of this part of the extension along the western boundary and submit revised plans and elevations as necessary.*
1. *The parapet height of the western part of the rear extension is considered excessive when viewed in relation to the remainder of the rear extension, and with consideration of the impact to the dwelling to the west. The applicant is requested to revise this element of the proposal and submit updated elevations for consideration of the Planning Authority.*
2. *There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.*
3. *The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*
 - (i) *At least 5m from any building, public sewer, road boundary or structure.*
 - (ii) *Generally, not within 3m of the boundary of the adjoining property.*
 - (iii) *Not in such a position that the ground below foundations is likely to be adversely affected.*
 - (iv) *10m from any sewage treatment percolation area and from any watercourse / floodplain.*
 - (v) *Soakaways must include an overflow connection to the surface water drainage network.*
4. *It is considered that the additional 1.6m depth of the first floor rear extension would have an overbearing impact on the neighbouring dwelling to the west and east. The applicant is requested to reduce the additional depth of this element to no more than 0.6m more than previously permitted. The applicant is requested to submit revised plans, elevations and other relevant drawings as necessary to detail this change*

Assessment

The applicant has submitted drawings and reports as requested, and a letter from the agent dated 4 May 2022.

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

Items 1, 2 and 5 – Design

The applicant has reduced the depth of the rear extension along the western site boundary by 1m. The parapet height of the western part of the rear extension has been reduced resulting in a uniform parapet height for the entire rear extension. The first-floor rear extension has been reduced in depth along the eastern site boundary by 1.04m. These alterations are considered acceptable.

Items 3 and 4 – Soakaway

Water Services have reviewed the application and have stated no objection to the development. Their report recommends the following **conditions**:

1.1 Prior to commencement of development, the applicant or developer shall enter into Surface Water connection agreement(s) with South Dublin County Council. Application forms for Surface Water connections to the public drainage network are available at: <https://www.sdcc.ie/en/services/environment/environmental-health/water-services/drainage/>

1.1 The applicant shall include Water Butts as part of additional Sustainable Drainage Systems (SuDS) measures for the proposed development.

These **conditions** are considered appropriate and should be attached in the event of a grant of permission.

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.

Development Contributions

Development Contributions

Existing

Garage Conversion:	16.3 sq.m
Rear Extension (dining area):	13.7 sq.m
Total:	30 sq.m

Proposed

Ground Floor:	34.86 sq.m
First Floor:	26.89 sq.m
Total:	61.75 sq.m

Assessable area: 51.75 sq.m

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

SEA Monitoring Information

Building Use Type Proposed:	Residential extension
Floor Area:	61.75 sq.m
Land Type:	Urban Consolidation
Site Area:	0.039 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.

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 as amended by Further Information received on 4 May 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.

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

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 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

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

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. Previous Permission

All relevant conditions of previously approved permission SD20A/0419 shall be complied with.

REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

4. Amendments - Glazing.

The window on the north elevation serving the en-suite bathroom shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.

REASON: In the interest of residential amenity.

5. Sustainable Urban Drainage

A) Prior to commencement of development, the applicant or developer shall enter into Surface Water connection agreement(s) with South Dublin County Council. Application forms for Surface Water connections to the public drainage network are available at: <https://www.sdcc.ie/en/services/environment/environmental-health/water->

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

services/drainage/

B) The applicant shall include Water Butts as part of additional Sustainable Drainage Systems (SuDS) measures for the proposed development.

REASON: To ensure the adequate provision of SuDS

6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €5,407.36 (five thousand four hundred and seven euros and thirty 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.

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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

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.

Comhairle Chontae Atha Cliath Theas

PR/0666/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0028

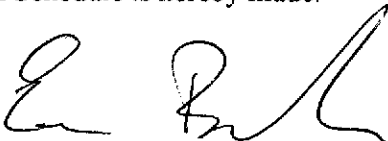
LOCATION: 36, Kew Park Crescent, Lucan, Co. Dublin

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: 31/5/22



Eoin Burke, Senior Planner