

Comhairle Chontae Atha Cliath Theas

PR/0664/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0138 **Application Date:** 04-Apr-2022
Submission Type: New Application **Registration Date:** 04-Apr-2022
Correspondence Name and Address: Darren Murphy 49, Killakee Lawns, Dublin 24.
Proposed Development: Single storey extension to the front, rear and side of existing dwelling; dormer extension to the rear; widening of vehicular entrance and all ancillary site works.
Location: 2, Fernhill Park, Dublin 12
Applicant Name: Anthony McGarry
Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Area: as stated 0.0335Hectares.

Site Description:

The site contains a two-storey semi-detached dwelling with a hipped roof profile and a single-storey garage attached to its side with a large rear garden. The external finishes on the front elevation of the dwelling comprise red brick at ground floor level and pebble dash at first-floor level. The street is characterized by dwellings of a similar form and appearance. In addition, several dwelling within the immediate area have been modified by way of extensions to the side and rear.

The site is located on the southern end of Fernhill Park; the gable side of the subject property backs onto the rear gardens of Moundown Road. The site is located off a green area with mature trees.

Proposal:

- Single storey extension to the front, rear and side of existing dwelling;
- dormer extension to the rear;
- widening of vehicular entrance and all ancillary site works.

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 objections subject to conditions.

Irish Water – No objections subject to conditions.

Roads - No objections subject to conditions.

SEA Sensitivity Screening - No overlap indicated.

Submissions/Observations /Representations

No submissions received.

Relevant Planning History

None recorded for subject site.

Adjacent sites:

SD19B/0387- 4 Fernhill Park, Dublin 12. **Granted Permission** for a garage conversion; replacement porch; rear and side extension; attic conversion; demolition of conservatory and widening of existing entrance.

SD16B/0317 – 7, Mountdown Road, Dublin 12. **Granted Permission** for the construction new pitched roof dormer to the side and flat roof dormer to the rear at attic level to allow for the construction of new roof storage space.

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.

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:

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- 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:

- If the house is detached or on a large site or in a prominent location such as the corner of a street, it may be appropriate to consider making a strong architectural statement with the extension.
- 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.
- 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

Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

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Assessment

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity,
- Service water and drainage.

Zoning and Council Policy

The development comprising a front, side and rear extension is consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan 2016-2022 and the House Extension Design Guide.

Residential & Visual Amenity

Front Extension

The proposal has a 1.5m projection and links with the side extension via a flat roof, contemporary in style and consistent with the immediate area's existing development. In addition, the proposal is consistent with the guidance set out in Section 4 'Front Extensions' of the South Dublin County Council House Extension Design Guide (2010).

Side Extension

The proposed flat-roofed side extension consists of converting the existing garage and projects 6m to the east (rear). The proposal reflects the contemporary character, design, and fenestration of the current house. It is considered to integrate cohesively with the surrounding area and the visual and residential amenities of the area. The proposal projects 2.9m in width and shall cause no undue overbearing impact or overshadowing to the neighbouring properties. The proposed gable extension is conducive and seamless to its site in terms of scale, size and context to the main dwelling and is consistent with the guidance set out in Section 4 'Side Extensions' of the South Dublin County Council House Extension Design Guide (2010)

Rear Extension

The proposed single-storey rear extension projects 6m from the rear building line and would be located abut with the shared boundary walls with the neighbouring property to the north-west and southeast of the site. It is considered the proposal would not be significantly injurious to the amenities of the adjacent properties. The neighbouring property to the north, No.4 Fernhill Park, has a mirrored rear proposal in size. No undue issues of overshadowing are envisaged. The minimum private open space requirement is comfortably achieved for a four-bedroom house. It is considered to provide sufficient residential amenities for future occupants and, therefore, consistent with the Development Plan provisions.

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Rear Dormer Window

The rear dormer window is below the ridgeline of the existing dwelling, built three tile courses above the eaves of the dwelling, contemporary in style to match the rear extension and complies the South Dublin County Council House Extension Design Guide (2010)

Roof Alterations

It is noted that the subject property is on an end of the road, within a scheme of predominant fully hipped roofs. The gable side of the subject property backs onto the rear gardens of Mountdown Road and does not face the main road. The roof is screened in parts from mature street trees to the south of the site in the open green area. Regarding the proposed modification of the existing roof structure to half-hipped, it is considered that the proposed 'A' type roof would not be visually prominent in this location, and a visual imbalance would be moderate from the proposal. The development pattern in the area also sees reasonable modifications to roof restructures. The development complies with the design guidelines for extensions as set out in the 'House Extension Design Guide' in the current South Dublin County Council Development Plan 2016-2022. therefore, a grant of permission is recommended.

Roads and Access

Having regard to the widen vehicular entrance to 3.4m and associated site works, the Roads Department report states no objections subject to the following:

The following conditions are recommended:

1. The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
2. No gate to be installed or erected shall be capable of opening across any public footpath, cycle-track, roadway or right of way.
3. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.
4. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense.

The above requirements can be sought by **condition** in the event of a grant of permission.

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Services & Drainage

Regarding surface water drainage and flood risk, the Water Services Report request Additional Information to Include water butts as part of Sustainable Drainage Systems (SuDS) for the proposed development.

Notwithstanding the recommendation of the Water Services, it is deemed that prior to the commencement of development, the applicant/developer will be requested to submit the above requirements in full for the written agreement of the Planning Authority by **condition**. Irish Water states no objection subject to the attachment of standard **conditions** related to Irish Water codes and practice. This is considered appropriate.

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,

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/Habitable Attic: 79 sq.m
Assessable Area: 39 sq.m

SEA Monitoring Information

Building Use Type Proposed:
Floor Area: 79 sq.m
Land Type: Urban Consolidation.
Site Area: 0.0335Hectares.

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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.

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. (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.

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(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) 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 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

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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. (a) The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section.
(b) The applicant shall include water butts as part of Sustainable Drainage Systems (SuDS) for the development.
(c) 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, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision

4. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €4,075.11 (four thousand and seventy five euros and eleven 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

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considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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

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REG. REF. SD22B/0138

LOCATION: 2, Fernhill Park, Dublin 12

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: 30/5/22

Eoin Burke

Eoin Burke, Senior Planner