

Comhairle Chontae Atha Cliath Theas

PR/0698/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0605 **Application Date:** 02-Dec-2021
Submission Type: Additional **Registration Date:** 10-May-2022
Information

Correspondence Name and Address: Mark Langrell Shomera, Unit 10, Dunshaughlin
Business Park, Dunshaughlin, Co. Meath

Proposed Development: Demolition of single storey hipped roof extension
and flat roof shed to the rear of existing building;
proposed combination of single storey and two storey
flat roof extensions to rear of existing building;
proposed flat roof attic dormer to the rear; associated
internal modifications and site works.

Location: 29, Cherryfield Road, Walkinstown, D12C8E2

Applicant Name: Zoe Faulder O'Brien & Dave O'Brien

Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: 0.025 Hectares as stated per application.

Site Description:

The site contains a two storey mid-terrace dwelling with pitched roof and has a relatively long rear garden. It has a relatively large single storey rear extension and has two shed structures. There is a narrow laneway to the rear. It is noted there are rear dormers currently in situ for both immediate adjoining neighbours. (No.27 Cherryfield Road granted permission under SD08B/0442) and (No.31 Cherryfield Road, no permission traced). The streetscape in the immediate vicinity of the dwelling is characterised by dwellings of similar form and appearance.

Proposal:

The proposed development comprises of the following:

- Demolition of single storey rear hipped roof extension and flat roof shed.
- Construction of single storey and two storey flat roof extensions to rear.
- Construction of rear dormer (non-habitable).
- Proposed works measure c.57.7sq.m.

Zoning:

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

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Consultations:

Surface Water Drainage – **Additional Information** recommended.

Irish Water – No objection subject to **conditions**.

SEA Sensitivity Screening

No overlap identified with SEA screening tool layers.

Submissions/Observations /Representations

None.

Relevant Planning History

None recorded for subject site.

Adjacent sites

SD08B/0442: 27, Cherryfield Road, Walkinstown, Dublin 12.

Partial removal of the existing roof to the rear of the existing two storey dwelling and construction of new dormer extension with flat roof, comprising of a new bedroom with en-suite, within the existing attic space, together with all associated site and ancillary works.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History

None recorded for the subject site.

Pre-Planning Consultation

None.

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

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

Policy H18 Objective 2:

To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 2.5.8 Rural House & Extension Design

Policy H27 Rural House & Extension Design

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Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

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 Environment, Heritage, and Local Government, (2007).

Assessment

The main issues for the assessment are:

- Zoning and Council Policy
- Residential & Visual Amenity
- Services and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

The site is located in an area that is zoned 'RES' 'to protect and/or improve residential amenity.' A residential extension is permitted in principle subject to its accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.3 (i) which relates to Extensions.

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Visual and Residential Amenity

Demolition

The demolition of the single storey rear extension and the demolition of the existing shed is considered acceptable.

Single storey rear extension

The extension will be built to the boundary with both immediate adjoining neighbours and will project outwards from the main rear building line by c.7.76m. At c.6.0m it will span the full width of the existing dwelling. It will have a flat parapet roof with a ridge height of c.3.2m. In the context of current development on site and adjacent sites, this would be acceptable and would integrate reasonably well with the character of the existing dwelling and would not have a significant adverse impact on residential and visual amenity.

First floor rear extension

The first floor extension will be built to the boundary with the immediate neighbour to the north and will be offset by c.2.0m from the immediate neighbour to the south. It will have a flat parapet roof with a parapet height of c.6.1m. The extension will project outwards from the main rear building line by c.4.75m which is excessive and the Planning Authority would have significant concerns regarding the excessive depth of projection and impact on residential amenity by way of overbearing and overshadowing. It is considered this may be addressed by way of **additional information** whereby the applicant is requested to submit revised drawings clearly showing the depth of projection of the first floor extension is significantly reduced.

Rear dormer (non-habitable)

The rear dormer will be inset slightly by c.0.4m from both immediately adjoining neighbours. It will be set appropriately above the eaves of the existing dwelling and will not project above the ridge of the roof of the existing dwelling which is acceptable.

Services and Drainage

Surface Water Drainage recommend **Additional Information** be requested and Irish Water recommend no objection subject to **conditions**. An extract taken from the Surface Water Drainage report states the following:

Surface Water Report: ***Further Information Required:***

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.

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1.2 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.*

1.3. Include water butts and Green sedum roof on flat roof extension as part of additional SuDS (Sustainable Drainage Systems) for the proposed development.

All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal

The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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

Flood Risk Report: No Objection

It is considered appropriate to request the **Additional Information** above.

An extract taken from the Irish Water report states the following:

1. Water

1.1. All development shall be carried out in compliance with Irish Water Standards codes and practices.

2. Foul

2.1 All development shall be carried out in compliance with Irish Water Standards codes and practices.

It is considered appropriate to attach the above **conditions** in the event of a grant.

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Screening for Appropriate Assessment (AA)

Having regard to the distance of the proposed development from any Natura 2000 sites, the nature and scale of the proposed development in the context of the surrounding developments, it is not considered that the proposed development is likely to have a negative effect on a Natura 2000 site and therefore a Stage 2 Appropriate Assessment is not required.

Environmental Impact Assessment (EIAR)

Having regard to the nature and scale of the proposed development and pursuant to Schedule 5 of the Planning and Development Regulations 2001 (as amended), the proposal is not a class of development for which a mandatory Environmental Impact Assessment Report is required. Additionally, having regard to the distance of the site from nearby sensitive receptors, the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Other Considerations

Development Contributions

- Single storey and two storey rear extension & non-habitable rear dormer.
- Proposed works measure c.57.7sq.m. as stated.
- Proposed extensions will be built on footprint of existing single storey rear extension which is to be demolished.
- 40sq.m. exemption remains.
- Assessable area is c.17.7sq.m.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential –extensions	57.7sq.m.
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.025

Conclusion

Request Additional information

Recommendation

Request Additional Information.

Further Information

- Further Information was requested on 04/02/2022.
- Further Information was received on 10/05/2022.

No submissions/observations on the further information have been made.

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The following Further Information was requested.

Item 1: Excessive depth of first floor extension.

The extension will project outwards from the main rear building line by c.4.75m which is extremely excessive (given that this is a terraced dwelling) and the Planning Authority would have significant concerns regarding the depth of projection. The applicant is requested to submit revised scaled drawings clearly showing the depth of projection of the first floor extension significantly reduced. Such reduction in height should be significant in order to reduce the overbearing impact on flanking dwellings. The applicant is requested to consult the SDCC House Extension Guide 2010 and demonstrate that any revised proposal will not adversely impact on amenity by way of overshadowing.

Item 2: Surface Water Drainage Requirements.

The applicant is requested to submit the following information:

- (a) There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is requested 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.
- (b) The applicant is requested to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway should be located fully within the curtilage of the property and should 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.
- (c) Include water butts and Green sedum roof on flat roof extension as part of additional SuDS (Sustainable Drainage Systems) for the proposed development.

Further Consultations

Surface Water Drainage – No objection subject to **conditions**.

Further Submissions/Observations

None received.

Assessment

Item 1: Excessive depth of first floor extension.

The applicant has submitted revised drawings in an attempt to address the request for additional information.

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Revised drawings submitted now show the original proposed first floor rear extension is now omitted and the single storey rear extension will now have a pitched roof. The pitched roof will have a ridge height of c.4m and an eaves height of c.2.7m. These revisions to the design will now reduce the overbearing and overshadowing impact on flanking dwellings.

The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

Item 2: Surface Water Drainage Requirements.

The applicant has submitted a cover letter in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

I refer to South Dublin County Council's request for additional information in relation to the above, specifically Item 2 in relation to surface water.

I have examined the drawings for the proposed development in light of the requirements. I have found that it is not possible to locate a new soakaway in accordance with BRE Digest 365 on the site, as the space is not available. As per the attached sketch, the only location which is at least 5m from structures (green shaded area marked "A") is (i) within 3m from the adjoining boundary, (ii) too small for a soakaway, and (iii) risks damaging the foundations of the boundary wall.

Since a soakaway is not a feasible solution, it is proposed to provide a water butt as a practical SuDS measure. The water butt should collect runoff from the roof of the new extension and store it for use in irrigation or car washing. The water butt should be as large as can be reasonably accommodated adjacent to the new extension and should be connected to the downpipe serving the new extension. When the water butt is full, the flow should be diverted to the public surface water sewer.

Surface Water Drainage have reviewed the Additional Information submitted and have issued a report recommending no objection subject to **conditions**. An extract taken from the Surface Water Drainage report states the following:

Surface Water Report: No Objection Subject to:

All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal

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The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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

It is considered appropriate to attach the above **conditions** in the event of a grant of permission. The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

Other Considerations

Development Contributions

- Single storey rear extension & non-habitable rear dormer (first floor rear extension now omitted following AI).
- Proposed works measure c.40.7sq.m.
- Proposed extensions will be built on footprint of existing single storey rear extension which is to be demolished.
- 40sq.m. exemption remains.
- Assessable area is c.0.7sq.m.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – extensions	40.7sq.m.
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.025

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

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 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 10/05/2022, 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). All developm
 - (ii). All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal
 - (iii). The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
 - (iv). All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.
 - (v). The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (vi). 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

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a minimum thickness surround of 150mm Concrete Class B.

(vii). 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 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.

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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. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €73.14 (seventy three euros and fourteen 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.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where

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appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

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REG. REF. SD21B/0605

LOCATION: 29, Cherryfield Road, Walkinstown, D12C8E2

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: 7/6/22



Eoin Burke, Senior Planner