

# Comhairle Chontae Atha Cliath Theas

**PR/0714/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22B/0153      **Application Date:** 13-Apr-2022  
**Submission Type:** New Application      **Registration Date:** 13-Apr-2022

**Correspondence Name and Address:** Joe Fallon Design Ryland House, Ryland Street,  
Bunclody, Co. Wexford

**Proposed Development:** Rooflight to existing dwelling; flat roof single storey  
extension with rooflights to rear; alterations to front  
elevation and all associated site works.

**Location:** 29 The Court, Cypress Downs, Templeogue, Dublin  
6W.

**Applicant Name:** Ruth & David Carroll

**Application Type:** Permission

### **Description of Site and Surroundings:**

#### Site Area

Stated as 0.031 Hectares.

#### Site Description

The application site is located within the established Cypress Down residential area and contains a detached two storey dwelling. The surrounding streetscape of The Court is generally characterised by two storey dwellings of similar appearance and form. The subject site is located towards the middle of a row of detached dwellings with a uniform front building line on the northern edge of an internal circulation road known as 'The Court'.

The existing detached two storey dwelling contains a hall, office, utility, living room, toilet, dining room, kitchen, sitting room and sunroom at ground floor level and 5 No. bedrooms (one of which is ensuite), a family bathroom and hot press at first floor level. The roof profile of the dwelling is hipped with an eaves height of c. 5.29m and a maximum ridge level of c. 7.57m. The dwelling appears to have been subject to previous modifications in the form of the addition of a sunroom (12.8 sq m) to the rear of the dwelling.

### **Proposal:**

Permission is being sought for the following:

- Removal of the conservatory and single storey return to the rear of the existing dwelling.
- A single storey extension projecting between approximately 3.9m and 5.1m (owing to the angle of the rear wall) out from the rear elevation of the existing dwelling and spanning a

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width of c. 9.15m. The single storey extension will have a flat roof profile with a height of 3.56m and 2 No. rooflights.

- Alterations to the front elevation of the existing dwelling comprising the replacement of windows and the widening of the existing front door.
- Internal reconfiguration of the ground floor layout to provide an entrance hall, office, living room, utility room, kitchen/living/dining room, a toilet and a cloakroom. With the exception of the removal of the addition of the single storey extension to the rear (c. 37 sq m) there will be no alteration to the gross floor area of the ground floor.
- Internal re-configuration of the first-floor level resulting in the provision of 4 No. bedrooms, one of which is ensuite and has a walk-in wardrobe, a family bathroom and a hot press.
- All ancillary site works above and below ground.

### **Zoning:**

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity' in the South Dublin County Development Plan 2016-2022.

### **Consultations:**

Drainage and Water Services Section – Additional Information required.

Irish Water – Additional Information required.

Roads Section – No objection.

### **SEA Sensitivity Screening**

No overlap is recorded in the SEA monitoring system.

### **Submissions/Observations /Representations**

Submission expiry date – 17<sup>th</sup> May 2022.

No submissions or objections received.

### **Relevant Planning History**

No recent Planning History recorded for subject site.

There is one history planning permission for the subject site:

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**S99B/0079** – Proposed domestic extensions and alterations. **SDCC Decision:** Grant Permission, subject to conditions. **NB:** No plans and particulars were available online for this historic Application.

### **Relevant Enforcement History**

None recorded for subject site.

### **Pre-Planning Consultation**

None recorded for subject site.

### **Relevant Policy in South Dublin County Council Development Plan 2016 – 2022**

*Section 2.4.1 Residential Extensions*

*Policy H18 Residential Extensions*

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

*Policy H18 Objective 1:*

*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 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 11.8.2 Appropriate Assessment*

### **South Dublin County Council House Extension Design Guide (2010)**

The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on side extensions:

#### **Elements of Good Extension Design:**

- *'Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*

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- *Incorporate energy efficient measures where possible'.*

### Front extensions:

- *Keep the extension simple and complementary to the style of the house by reflecting the style and details of the main house, e.g. window location, shape, type, proportion and sill details.*
- *Avoid building an extension more than 1.5m in front of the existing front wall of the house if there is a regular building line along the street.*

### Rear extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *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.*
- *Do not create a higher ridge level than the roof of the main house.*

### Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

### **Relevant Government Guidelines**

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

**Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

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

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**Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities**, Department of the Environment, Heritage and Local Government, (2009).

**OPR Practice Note PN01 Appropriate Assessment Screening for Development Management** (March 2021)

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council Policy.
- Visual and Residential Amenity.
- Vehicular Access and Parking.
- Drainage and Water Services.
- Environmental Impact Assessment.
- Appropriate Assessment Screening.

### ***Zoning and Council Policy***

The extension to an existing dwelling comprised of a single storey rear extension and alterations to the elevations of an existing dwelling is consistent with the principle of the 'RES' zoning objective and would generally be in compliance with South Dublin County Development Plan 2016-2022 and the South Dublin County Council House Guide (2010).

### ***Visual and Residential Amenity***

Each element of the proposed development shall be assessed individually below, having regard to the relevant policy and guidance contained within the South Dublin County Development Plan 2016-2022, the South Dublin House Extension Design Guide (2010) and the potential impact on the visual and residential amenity of the subject site, adjoining properties and the surrounding streetscape.

### **Elevational Amendments**

The proposed development includes alterations to the front elevation of the existing dwelling comprising the replacement of windows and the widening of the existing front door.

Having regard to the existing and proposed elevations provided by the Applicant, the Planning Authority is satisfied that the proposed alterations to the front elevation will not significantly alter the appearance of the existing dwelling and will therefore have minimal impact on the visual amenity of the adjacent streetscape.

The proposal also includes the replacement of windows to the side and rear elevations, the addition of a door to the eastern elevation providing direct access from the utility room to the side passage and the addition of a rooflight to the southeastern pitch of the roof. The proposed elevational amendments will not significantly impact the visual and residential amenity of adjacent properties.

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### Single Storey Extension to Rear

The proposal includes a single storey extension projecting between approximately 3.9m and 5.1m (owing to the angle of the rear wall) out from the rear elevation of the existing dwelling and spanning a width of c. 9.15m. The single storey extension will have a flat roof profile with a height of 3.56m and 2 No. rooflights.

In relation to the potential for extensions to be overbearing, the South Dublin House Extension Design Guide (2010) states that:

*'Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved'*

It is noted that the extension is located directly adjacent to the party boundaries with No. 27 The Court to the west and No. 31 The Court to the east. Having regard to the content of the House Extension Design Guide (2010) and the proposed 3.56m height of the rear extension, it is considered to be contrary to the Council's policies and objectives. In this regard, the Applicant should be requested to re-design the proposed development to ensure adherence to the House Extension Design Guide by reducing the height of the proposed single storey rear extension to no more than 3m. This re-design can be achieved by way of a CONDITION requiring a compliance submission prior to the commencement of development.

### Miscellaneous

The proposed development includes the internal reconfiguration of the layout at ground and first floor levels of the existing house. The Planning Authority is satisfied that the internal reconfigurations of the living areas and bedrooms would meet the minimum requirements outlined in Section 11.3.1(iv) of the South Dublin County Development Plan 2016-2022 and the Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government (2007).

The proposed Ground Floor Plan appears to show a pre-fabricated steel shed in the rear garden of the subject site, however the structure is not shown in the proposed Site Plan or elevations. Having regard to the size and scale of the proposed shed, it is unlikely to require planning permission.

### ***Vehicular Access and Parking***

It is noted from the plans and particulars provided by the Applicant that there will be no alteration to the existing vehicular access or parking arrangements.

The Report of the Roads Department indicated no objection to the proposed development.

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### ***Drainage and Water Services***

The Report of the Drainage and Water Services Department indicates that the following ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development:

- 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.
- The applicant is required to submit a revised drawing showing plan and 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.
  - i) Generally, not within 3m of the boundary of the adjoining property.
  - ii) Not in such a position that the ground below foundations is likely to be adversely affected.
  - iii) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
  - iv) Soakaways must include an overflow connection to the surface water drainage network.
- Should a soakaway prove not to be feasible, then the applicant shall submit the following:
  - a) Soil percolation test results demonstrating a soakaway is not feasible
  - a) A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features
- Include water butts as part of additional SuDS (Sustainable Drainage Systems) features for the proposed development.

It is considered that the information requested by the Drainage and Water Services Department can be provided by way of a CONDITION requiring a compliance submission prior to the commencement of development.

The Report of Irish Water indicated no objection to the proposed development, subject to standard conditions.

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### ***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.

### **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 consists of a domestic extension and minor alterations to the elevation of the existing dwelling. 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.

### **Other Considerations**

<b>Development Contributions</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential (Domestic Extension)	37 sq m
Previous Extension	16 sq m
Assessable Area	13 sq m

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential (Domestic Extension)	37 sq m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.031 Ha

### **Conclusion**

Having regard to the 'RES' land-use zoning of the area, the relevant policies and objectives of the South Dublin County Development Plan 2016 – 2022 and the recommendations and the South Dublin House Extension Design Guide 2010 it is considered that, subject to conditions,



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the proposed development is consistent with the proper planning and sustainable development of the area.

### **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, 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. The development hereby consented shall be amended as follows;
  - a) The single-story rear extension shall be reduced to a maximum height of 3 meters  
Prior to the commencement of development, revised plans, sections and elevations shall be agreed in writing by the Planning Authority.  
Reason: In the interests of adherence to the South Dublin House Extension Design Guide (2010) and the proper planning and sustainable development of the area.
3. Prior to the commencement of Development the Applicant is required to submit the following information regarding the Drainage and Water Services Infrastructure to the Planning Authority:
  - (i) A report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
  - (ii) Revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of

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the property and shall be:

- At least 5m from any building, public sewer, road boundary or structure.
  - Generally, not within 3m of the boundary of the adjoining property.
  - Not in such a position that the ground below foundations is likely to be adversely affected.
  - 10m from any sewage treatment percolation area and from any watercourse / floodplain.
  - Soakaways must include an overflow connection to the surface water drainage network.
  - (iii) Should a soakaway prove not to be feasible, then the applicant shall submit the following:
    - Soil percolation test results demonstrating a soakaway is not feasible
    - A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features
  - (iv) Demonstrate the inclusion of water butts as part of additional SuDS (Sustainable Drainage Systems) features for the proposed development.
- The above information shall be submitted for the written agreement of the Planning Authority, prior to the commencement of development.

REASON: In the interests of the proper planning and sustainable development of the area

#### 4. (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's Standards, Codes and Practices.

(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

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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.

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.

### 5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €1,358.37 (one thousand three hundred and fifty eight euros and thirty seven cents), in respect of

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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 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.

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/0153**

**LOCATION: 29 The Court, Cypress Downs, Templeogue, Dublin 6W.**

*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:**

7/6/22

*Eoin Burke*

**Eoin Burke, Senior Planner**