

Comhairle Chontae Atha Cliath Theas

PR/0763/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0173 **Application Date:** 25-Apr-2022
Submission Type: New Application **Registration Date:** 25-Apr-2022
Correspondence Name and Address: Patrick Joyce Associates 2, Prospect Grove, Stocking Lane, Rathfarnham, Dublin 16
Proposed Development: Single storey extension to rear of existing dwelling house and widen existing driveway entrance.
Location: 143, Kimmage Road West, Dublin 12
Applicant Name: Dermot & Mairead Donegan
Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.029 hectares.

Site Description:

The application site contains a two storey, semi-detached/end-of-terrace house, located on Kimmage Road West in a row of similar dwellings. The surrounding area is residential in nature.

Site visited:

3 June 2022

Proposal:

Permission is sought for the following:

- Single storey, flat roof rear extension (30.2 sq.m)
- Widening of existing driveway to 3.6 m

Zoning:

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*.

Consultations:

Roads – No objection, **conditions** recommended
Public Realm – No objection, **conditions** recommended
Surface Water Drainage – **Further information** recommended
Irish Water – No objection, **conditions** recommended

SEA Sensitivity Screening

No overlap with relevant environmental layers

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Submissions/Observations /Representations

Submission expiry date – 30 May 2022

1 objection received including points as follows:

- Size and design of extension inharmonious compared to extensions at 145 and 147.
- Light adversely affected by height and size of extension
- Overshadowing and overbearing effect
- Location of site notice on telegraph pole on public footpath in front of boundary
- Depth of extension 2m beyond verbal agreement made in February

1 submission received in response to the objection was received including points as follows:

- 22.6 sq.m floor area increase and maximum height of 3m is modest
- Smaller than other extensions in the area
- SW facing gardens, objectors incorrect in claiming light would be adversely affected

Relevant Planning History

None recorded for subject site.

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.

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).

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Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and Visual Amenity
- Public Realm
- Roads
- 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 the demolition of an existing flat roof rear extension (7.6 sq.m) and construction of a 30.2 sq.m flat roof rear extension. The proposal also includes the widening of the existing driveway from 2.8m to 3.6m wide. No other changes are noted from drawings.

Rear Extension

An existing single storey, flat roof extension (7.6 sq.m) would be replaced by a larger, 30.2 sq.m, flat roof rear extension. The extension would have a rough-cast render finish with large areas of glazing on both the southwest and southeast elevations. The extension would be 3m in height, protrude 6m from the rear building line of the existing dwelling and be 5.7m in width. The extension would be constructed along the northwest boundary and inset 2.7m from the southeast site boundary. The extension would facilitate a kitchen/dining area extension.

The original dwelling is approximately 8m deep. The adjoining property to the northwest has an extension that is approximately 4.2m deep. The proposed extension would therefore protrude approximately 1.7m further than the neighbouring rear extension. The additional protrusion past the rear building line of the neighbouring extension is not considered to be excessive or seriously injurious to the amenity of the neighbouring property.

A rear garden in excess of 90 sq.m would be retained and this is considered acceptable.

Based on the above, the proposed rear extension is considered acceptable.

Public realm

The Public Realm Section have reviewed the application and have stated no objection in principle to the proposed development. Their report notes there is a lack of SuDS proposed and therefore recommends the following **condition** in the event of a grant:

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- 1. The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant shall submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Sample SuDs devices include green roofs, water butts, tree pits, rain gardens, filter strips and permeable paving amongst others. The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.*

As stated later in the report, the Drainage Department have also commented on a lack of SuDS proposals, requesting this be address by **additional information**. As this is a singular point for the development, it is considered appropriate to address this matter by **condition**, to ensure the adequate provision of SuDS.

Roads

The Roads Department have reviewed the application and have stated no objection to the widening of the vehicular entrance. Their report recommends the following **conditions** are included in the event of a grant:

- 1. The vehicular access point shall not exceed a width of 3.5 meters.*
- 2. The boundary walls 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.*
- 3. Any gates shall open inwards and not outwards over the public domain.*
- 4. 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.*
- 5. The entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.*

These **conditions** are considered appropriate with the exception of condition 4 which would be impossible to enforce.

Services, Drainage and the Environment

Water Services has reviewed the application and have recommended the following **additional information**:

- 1.1 There are no soil percolation test results and design details 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.*
- 1.2 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.*

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- 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.*

Irish Water have reviewed the application and have stated no objection to the development. Their report recommends the following **conditions** in the event of a grant:

Water

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

Foul

1.2 It is unclear where the foul water discharges from the proposed development. The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.

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

It is considered appropriate to request the recommended **additional information** as a **condition**, for the reasons stated above, and also to request the foul water layout plans by **condition**.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of a 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.

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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.

Development Contributions

Development Contributions

Existing: 30 sq.m (garage conversion/extension and first floor extension)
Proposed: 30.2 sq.m
Assessable Area: 20.2 sq.m

SEA Monitoring Information

Building Use Type Proposed:	Residential extension
Floor Area:	30.2 sq.m
Land Type:	Urban Consolidation
Site Area:	0.029 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.

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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.

(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

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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.

3. Irish Water - Foul Drainage

Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water

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systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.

REASON: To ensure public health and the adequate provision of wastewater services

4. Vehicular Entrance

A. The vehicular access point shall not exceed a width of 3.5 meters.

B. The boundary walls 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.

C. Any gates shall open inwards and not outwards over the public domain.

D. The entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.

REASON: In the interests of public and traffic safety

5. Surface Water

Prior to commencement of development, the applicant is required to submit soil percolation test results, design calculations and dimensions to the Planning Authority to demonstrate that the proposed soakaway is feasible in accordance with BRE Digest 365 – Soakaway Design. The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway to the Planning Authority. 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.

b). In the event that the proposed soakaway is not feasible in accordance with BRE Digest 365 – Soakaway Design, the applicant shall submit the following for the written agreement of the Planning Authority:

i) Soil percolation test results demonstrating a soakaway is not feasible

ii) A revised surface water layout drainage drawing for the development for the written agreement of the Planning Authority showing the inclusion of SuDS (Sustainable Drainage Systems) features, unless otherwise agreed in writing with the Planning Authority.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage

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Systems of the CDP 2016-22 in particular G5 Objective 1.

6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2,110.70 (two thousand one hundred and ten euros and seventy 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 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.

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REG. REF. SD22B/0173

LOCATION: 143, Kimmage Road West, Dublin 12



Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 20/6/22



Eoin Burke, Senior Planner