

# Comhairle Chontae Atha Cliath Theas

**PR/0788/22**

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

**Reg. Reference:** SD22B/0109      **Application Date:** 15-Mar-2022  
**Submission Type:** Additional      **Registration Date:** 30-May-2022  
Information

**Correspondence Name and Address:** Equator Architects Pavillion House, 31/32,  
Fitzwilliam Square South, Dublin 2

**Proposed Development:** Single storey rear extension to an existing semi-detached dwelling; a new ground floor bedroom with ensuite; a new prayer area; a new internal courtyard; all associated ancillary site works to facilitate the development

**Location:** 81, Newcastle Boulevard, Newcastle, Dublin,  
D22V8E8

**Applicant Name:** Kirti Srivastava

**Application Type:** Permission

(NM)

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

Site Area: Stated as 241.67sqm (0.024167 Hectares)

Site Visit: 26/04/2022

### **Site Description:**

The site is located on Newcastle Boulevard in Newcastle, County Dublin. The subject property is a two-storey semi-detached dwelling with a gable pitched roof. Newcastle Boulevard is characterised by varying residential types and streetscapes but the subject location has a uniform building line.

### **Proposal:**

- Single storey rear extension to an existing semi-detached dwelling including a new ground floor bedroom with ensuite; a new prayer area;
- a new internal courtyard; all associated ancillary site works to facilitate the development
- Total area of works 36.27sqm

### **Zoning:**

The subject site is subject to zoning objective RES-N - 'To provide for new residential communities in accordance with approved area plans'.

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### **Consultations:**

Surface Water Drainage – No objection subject to conditions.

Irish Water – No objection subject to conditions.

### **SEA Sensitivity Screening**

Overlaps with the following:

- *Architectural Conservation Areas 2016*
- *Areas Of Archaeological Potential 2016*
- *Record Of Monuments And Places 2016*
- *Sites Of Geological Interest 2016*

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

None received.

### **Relevant Planning History**

#### *Subject Property*

SHD3ABP-305343-19 – **Permission Granted** for (1) The demolition of 5 structures on site, total area measuring 359sq.m, comprising 2 habitable dwellings and 3 associated outbuildings/sheds located to the northwest of the site; (2) development of **406 residential homes**; (3) a childcare facility (518sq.m GFA); (4) 1 commercial unit (67.7sq.m GFA); (5) reservation of a school site (1.5ha); (6) new vehicular, cycle and pedestrian access from Main Street; (7) continuation of Newcastle Boulevard forming part of a new east-west link street; (8) a new Public Park (2ha); (9) pocket parks and greenway together with associated internal access roads, pedestrian and cycle paths and linkages; (10) 1 single storey marketing suite (81sqm) and signage (including hoarding) during the construction phase of development only and (11) all associated site and development works. The overall site comprises lands to the south of Main Street (c.15ha) together with 3 additional infill sites at the corner of Burgage Street and Newcastle Boulevard (c. 0.8ha); No. 32 Ballynakelly Edge (c.0.05ha); and Ballynakelly Rise (c.0.18ha)

#### *Adjacent Properties*

None

### **Relevant Enforcement History**

None recorded for subject site

### **Pre-Planning Consultation**

None recorded for subject site

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### **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 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)***

- *Prevent significant loss of daylight to the window of the closest habitable room in a neighbouring property, by not locating an extension within the 45° angle of the centre point at 2m above ground level of the nearest main window or glazed door to a habitable room, measured on both plan and elevation. If the extension has a pitched roof, then the top of the extension can be taken as the height of its roof halfway along the slope.*

### ***Rear Extensions***

- *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 (2009).

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*Urban Design Manual: A Best Practice Guide*, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).

*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).

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity
- Services and drainage
- Appropriate Assessment
- Environmental Impact Assessment (EIAR)

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

A single storey rear extension with an internal courtyard in a residential dwelling is consistent in principle with zoning objective 'RES-N' in the County Development Plan.

### ***Residential & Visual Amenity***

#### ***Residential***

The application will provide 36.27sqm of residential space consisting of a bedroom with ensuite WC, prayer room and internal courtyard. The development would leave approximately 40.17sqm of rear, south-facing garden space which would not be in line with the South Dublin County Council House Extension Guide 2010 for a four bedroomed dwelling.

It is considered that the size and scale of the development is overbearing on the attached dwelling to the west. The set back from the property to the east is considered acceptable. The depth of the proposed development is 7.85m approximately which is significant relative to the depth of the house (front to rear building line of house) and should be set back to approximately 6m in length from the southern rear elevation in the interest of residential amenity of the attached unit to the west. Removal of the internal courtyard could potentially address this issue. The roof has a total ridge height of approximately 4.05m, which is high for a single storey rear extension and would likely lead to overshadowing of the attached unit to the west and should be lowered. **Further information** is required as to how these amendments can be achieved.

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### *Visual*

The existing dwelling is red brick clad and the proposed rear extension is concrete render which should be sympathetic to the visual amenity of the area. Overall, the proposal would be visually acceptable.

### *Services & Drainage*

Water Services – No objection subject to standard conditions and the following:

- 1.1** The applicant shall include Water Butts and/or a rain garden planter box as part of Sustainable Drainage Systems (SuDS) measures for the proposed development.

Irish Water has no objections subject to standard conditions.

### *Conclusion*

It is considered that the above can be dealt with by way 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 a newly established residential area and comprises of a single storey rear extension.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### *Environmental Impact Assessment*

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### **Development Contributions Assessment Overall Quantum**

Rear Extension:	36.27sq.m
Previous Extensions Approx:	0sqm
Assessable Area:	NIL

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### **SEA Monitoring Information**

Building Use Type Proposed: Residential- Extension  
Floor Area: 36.27sq.m  
Land Type: Brownfield/Urban Consolidation.  
Site Area: 0.024167ha

### **Conclusion**

Additional information is required to address the overbearing nature of the proposed development.

### **Recommendation**

Further Information requested on 9<sup>th</sup> May 2022.  
Further Information received on 30<sup>th</sup> May 2022.

### **Assessment of Further information**

The following further information was requested

- 1. The applicant is requested to submit revised drawings showing a reduced depth of the proposed rear extension to a maximum of 6m from the main rear building line of the dwelling and a reduced ridge height in order to address the overbearing nature of the development on the neighbouring dwelling to the west.*

### **Assessment**

- The applicant submitted drawings including elevations, floor plans, site plan and sections as requested which address the size and scale of the proposed development. The rear extension is reduced in depth to 6m from the original 7.8m proposed. The ridge height has also been reduced from 4.052m to 3.692m. The total area of works has reduced from 36.27sqm to 27.36sqm. The total rear amenity space will be 56.44sqm which is less than is required as per the South Dublin County Council Development Plan but this is deemed acceptable in this instance given the relatively small rear extension proposed. Overall, the applicant has addressed the issues as requested and the proposed rear extension should not seriously injure the visual or residential amenity of the area.

The applicant has addressed all of the issues highlighted and therefore the proposed development should not seriously injure the visual or residential amenity of the area.

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### **Development Contributions Assessment Overall Quantum**

Rear Extension: 27.36sq.m  
Previous Extensions Approx: 0sqm  
Assessable Area: NIL

### **SEA Monitoring Information**

Building Use Type Proposed: Residential- Extension  
Floor Area: 27.36sq.m  
Land Type: Brownfield/Urban Consolidation.  
Site Area: 0.024167ha

### **Conclusion**

Having regard to the policy set out in the current South Dublin County Development Plan 2016-2022 and the scale and design of the development, 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 provisions of the South Dublin County Council Development Plan and 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 as amended by Further Information received on 30/05/2022, save as may be required by the other conditions attached hereto.

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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 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



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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.

**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.

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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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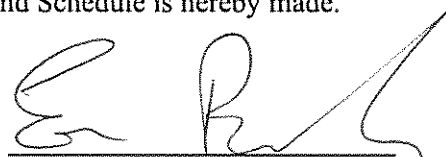
**REG. REF. SD22B/0109**

**LOCATION: 81, Newcastle Boulevard, Newcastle, Dublin, D22V8E8**

  
\_\_\_\_\_  
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: 22/6/22

  
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Eoin Burke, Senior Planner