

# Comhairle Chontae Atha Cliath Theas

**PR/0879/22**

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

**Reg. Reference:** SD22B/0219      **Application Date:** 17-May-2022  
**Submission Type:** New Application      **Registration Date:** 17-May-2022

**Correspondence Name and Address:** John Crowley, Anthro Architecture Ltd Carrigower Lodge, Kilpedder, Wicklow, A63HK84

**Proposed Development:** Replacement of existing garage and conservatory with a 2 storey side extension (a playroom and office space at ground floor level and en suite bedroom at first floor level). Widening of the existing vehicular entrance and the creation of a separate pedestrian entrance.

**Location:** 5, Delaford Lawn, Dublin 16

**Applicant Name:** Conor and Adele McIntyre

**Application Type:** Permission

(NM)

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

Site visit: 22/06/2022

Site Area: Stated as 0.4767 Hectares.

#### Site Description

The site comprises a semi-detached two storey dwelling with a pitched roof, single storey sunroom extension located to the side and a single storey extension to the rear. The dwelling is located on a corner site in a mature residential area. The area is characterised by units of similar design with a relatively uniform building line.

#### **Proposal:**

The proposed development consists of:

- Replacement of existing garage and conservatory with a 2-storey side extension (a playroom and office space at ground floor level and en suite bedroom at first floor level).
- Widening of the existing vehicular entrance and the creation of a separate pedestrian entrance.
- Total area of proposed works is 74.6sqm.

It should be noted that the neither the demolition of existing buildings nor the extension to the front of the property were noted in the site notice or advertisement for the application, but their

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omission was not considered sufficiently material in nature to warrant a readvertisement of the development for the full proposal to be assessed.

### **Zoning:**

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

### **Consultations:**

*Irish Water* – No report received

*Water Services* – No report received

*Roads Department* – No objection subject to conditions.

*Parks* – No objection subject to conditions.

### **SEA Sensitivity Screening**

No overlap with relevant layers.

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

None.

### **Relevant Planning History**

*Subject Property*

None.

### *Adjacent Properties*

SD21B/0366 - 26, Delaford Drive, Dublin 16 – **Permission Granted** for conversion of existing garage attached to side of the house to a bedroom; single storey flat roof rear extension to join with previous as-built single storey rear extension; internal alterations at ground floor level; remove flat roof over previous garage and porch and replace with new mono pitched roof with rooflights; all necessary ancillary site development works.

SD18A/0371 - 23, Delaford Lawn, Knocklyon, Dublin 16 – **Permission Granted** to demolish part of extension to side and construct two storey detached house and vehicular entrance to side.

SD16B/0166 - 16 Delaford Avenue, Knocklyon, Dublin 16 – **Permission Granted** to remove existing tiled roof over porch/side extension and construct a new first floor extension over the side with a new tiled roof over; new tiled roof over existing porch; demolish existing single storey extension to the rear; all new external finishes to match existing, internal alterations and associate site works.

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### **Relevant Enforcement History**

None recorded.

### **Pre-Planning Consultation**

None recorded.

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

#### *Section 2.4.1 Residential Extensions*

Policy H17 – Residential Consolidation:

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H17 Objective 1: To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

*Policy H18 Residential Extensions:*

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

*Policy H18 Objective 2:*

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

***The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.***

#### **Side Extensions**

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.*
- *If no gap can be retained, try to recess side extensions back from the front building line of the main house by at least 50cm and have a lower roof eaves and ridge line to minimise the terracing effect. In the case of a first floor extension over an existing garage or car port that is flush with the building line of the main house, the first floor extension should be recessed by at least 50cm.*

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### ***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.*
- *Reflect the roof shape and slope of the main house.*
- *Match or complement the materials used in the main house.*
- *Try to maintain a minimum driveway length of 6m.*
- *Avoid extensions that are dominant or overlarge in relation to the scale and appearance of the house.*
- *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.*

### **Relevant Government Guidelines**

***Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas***, Department of the Environment 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 are

- Zoning and Council policy,
- Residential and Visual amenity
- Drainage
- Roads
- Parks
- Appropriate Assessment
- Environmental Impact Assessment

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

A development comprising of a ground floor and first floor side extension, extension to the front, the widening of an existing vehicular entrance and the creation of a separate pedestrian entrance would be consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan 2016-2022 and the House Extension Design Guide.

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

#### ***Residential***

The proposed two-storey side extension requires the demolition of the existing garage and conservatory on the western elevation which is considered acceptable in the context of the overall development. The subject dwelling is located on a corner site and the proposed development will increase the passive surveillance of the area via new windows at ground floor and first floor levels on the western elevation. The front extension will be 1.015m in depth and the driveway will be on average 6m long for a width of approximately 3.8m as a result of this which is considered to be in accordance with the South Dublin County Council House Extension Guide. The property has large side and rear gardens totalling approximately 235sqm which is compliant with the South Dublin County Council Development Plan Table 11.20: Minimum Space Standards for Houses. The development will not lead to overshadowing or substantial additional overlooking of any units in the immediate vicinity and would not seriously injure the residential amenity of the area.

#### ***Visual***

The proposed development is a departure from the established architectural character of the existing dwellings in the surrounding area in favour of a more contemporary design. The fenestration differs from the existing dwelling including a dual frontage corner window at first floor level which again should improve the passive surveillance of the area. The extension of the dwelling to the front and side of the proposed development is delineated by a linear wrap around feature which although is somewhat out of character to the area, is sympathetic in its design. The wrap around feature will result in a parapet to the front which is not obtrusive so as to injure the visual amenity of the area. The existing dwelling and those in the immediate vicinity are half rendered and half brick clad whereas the application proposes that the entire property will be finished in a coloured render that matches the render of the existing. Again, this is a departure from the established pattern of development, but it is in keeping with the contemporary nature of the proposal. The roof design matches that of the existing which is considered appropriate in the context of the proposal. Although this proposed development is somewhat inconsistent with the established pattern of development, it provides a strong and sympathetic design statement and as such would not seriously injure the visual amenity of the area.

#### ***Conclusion***

The proposed development is acceptable subject to conditions.

#### ***Drainage***

There were no reports from Irish Water or Water Services received, but it should be noted that there are no surface water drainage provisions indicated such as a soakaway and no indication of

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SuDS treatments for the proposed development and details of same including drawings should be sought prior to development and this can be confirmed by way of **condition**.

### ***Roads***

Roads recommend that additional information be requested from the applicant:

1. The applicant is requested to submit a full swept path analysis for the proposed development. The analysis shall demonstrate the safe and efficient access and egress of the vehicles.

No Roads objections subject to the following conditions:

2. The vehicular access points shall be limited to a width of 3.5 meters.

3. 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.

4. The proposed pillar on the west should be moved as far to the east as is necessary to comply with the vehicular access points requirement

5. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.

6. 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.

### ***Conclusion***

It has been confirmed by the Roads Department subsequently that all of the above can be dealt with by way of **condition**. It should be noted that Condition 6 cannot be enforced by way of condition but is noted.

### ***Parks***

In relation to the above proposed development, this section has reviewed the application and recommends the following conditions to be included as part of any grant of permission;

Conditions

1. Proposed Removal/Reduction of grass margin to facilitate an additional driving entrance  
The Public Realm Section would not be in favour in allowing a resident to remove or reduce a grass margin which are in the public domain to accommodate the provision of an additional

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entrance. We believe this sets an unwanted precedent and grass margins should be retained where possible in the urban setting.

Grass margins in urban areas provide a full range of ecosystem services such as regulating the water cycle by promoting infiltration, thus facilitating regeneration of ground-water stocks and evapotranspiration. In addition, they mitigate the heat-island effect through transpiration and evaporation and provide cooler. Another important ecosystem service is habitat provision for some urban fauna species. Grass margins are very important as they allow space and a growing medium for trees to be planted.

G2 objective 11: To incorporate appropriate elements of Green Infrastructure e.g. new tree planting, grass verges etc. into existing areas of hard infrastructure wherever possible.

### *Conclusion*

The report from Parks is noted and notwithstanding this, it should be confirmed by the applicant how much of the grass margin is to be removed prior to any development.

### *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 ground floor and first floor side extension, extension to the front, the widening of an existing vehicular entrance and the creation of a separate pedestrian entrance.

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 (EIAR)*

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

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### ***Development Contributions***

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

Proposed Side and Front Extension:	74.6sqm
Previous Extensions	18.7sqm (Rear Extension)
Assessable Area:	53.3sqm

### **SEA Monitoring Information**

Building Use Type Proposed:	
Floor Area:	76.6sqm
Land Type: Urban Consolidation.	
Site Area:	0.4767Hectares.

### **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 the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.



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REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

### 2. Drainage - Surface Water.

The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

- (a) Fully detailed foul and surface water drainage plans for the proposed development as approved showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or Irish Water,
- (b) 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.
- (c) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.
- (d) The soakaway design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance and shall include documented evidence of infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365.

The revised plans shall provide for a soakaway to be located within the curtilage of the property and this shall be:

- (i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.
- (ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.
- (iii) a minimum of 10m from any sewage treatment percolation area.
- (iv) at least 10m from any stream / river / flood plain.

In addition only rainwater shall be discharged to soakaways.

REASON: In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

### 3. (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

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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 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

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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.

#### 4. Roads

- i) Prior to development, the applicant shall submit a full swept path analysis for the proposed development. The analysis shall demonstrate the safe and efficient access and egress of the vehicles.
- ii) The vehicular access points shall be limited to a width of 3.5 metres.
- iii) 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.
- iv) The proposed pillar on the west should be moved as far to the east as is necessary to comply with the vehicular access points requirement.
- v) Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
- vi) It is noted that there is a utility access cover in the vicinity of the proposed access, the applicant shall make any necessary arrangement with the correct utility provider if the proposed works are going to impact on these assets.

**REASON:** In the interest of public safety, proper planning and sustainable development.

#### 5. SUDS

The applicant shall provide permeable paving for the proposed new driveway to offset the loss of the green margin on the public domain.

**REASON:** In the interest of sustainable development.

#### 6. Financial Contribution.

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The developer shall pay to the Planning Authority a financial contribution of €5,569.32 (five thousand five hundred and sixty nine euros and thirty two 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 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

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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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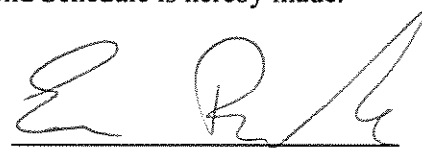
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**REG. REF. SD22B/0219  
LOCATION: 5, Delaford Lawn, Dublin 16**

  
\_\_\_\_\_  
**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:** 11/7/22

  
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**Eoin Burke, Senior Planner**