

Comhairle Chontae Atha Cliath Theas

PR/0928/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0236 **Application Date:** 26-May-2022
Submission Type: New Application **Registration Date:** 26-May-2022

Correspondence Name and Address: Anthony and Helen Kelly An Dairdubh, 32, Lyons Road, Newcastle, Co. Dublin, D22 H589

Proposed Development: Extension to rear/side of existing dwelling comprising of kitchen, dining, living room. Utility room and entrance hall including all associated siteworks.

Location: An Dairdubh, 32, Lyons Road, Newcastle, Co. Dublin, D22 H589

Applicant Name: Anthony and Helen Kelly

Application Type: Permission

(EW)

Site Area: Given as 0.76 Ha.

Description of Site and Surroundings:

Site Description: The site is located on Lyons Road, 100m east of the junction with the L6001 (Athgoe), and about 0.5km south-west of Newcastle Village. The site contains a semi-detached bungalow with front, back and side garden.

Proposal:

- Extension to rear/side of existing dwelling comprising of kitchen, dining, living room. Utility room and entrance hall including all associated siteworks.

Zoning:

The subject site is subject to zoning objective 'RU' - 'To protect and improve rural amenity and to provide for the development of agriculture'.

Consultations:

Environmental Health Officer – No report received; standard conditions apply.

Surface Water Drainage: No report received; standard conditions apply.

Irish Water No report received, standard conditions apply

Roads – No objections or comments.

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Parks - No objections or comments.

Conservation Officer- No report received.

Heritage Officer- No report received.

Archaeological Heritage Unit, Department of Culture, Heritage and the Gaeltacht – No comment on the application.

SEA Sensitivity Screening –

- Area of Archaeological Potential 2016,
- Area of Geological Interest.
- Record Of Monuments and Places 2016
- Rural 2016

Submissions/Observations /Representations

None received.

Relevant Planning History

SD18A/0434 – Granted Permission for the relocation & installation of a new wastewater treatment system with polished filtered percolation area; decommissioning of existing septic tank and all associated works.

Conditions

1. Maintenance of Waste Water Treatment System.

A maintenance contract for the treatment system shall be entered into with the suppliers of the wastewater treatment system or with an appropriate maintenance firm, and such contract shall remain in place in perpetuity or until such treatment system is no longer required. In this regard, no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority:

- (i) Documentary evidence of an agreement in perpetuity to maintain for the lifetime of the treatment system (i.e. for so long as it is required and in use) with the suppliers of the wastewater treatment system or with an appropriate alternative maintenance firm, along with;
- (ii) A copy of the maintenance contract, written confirmation that this agreement accords with the requirements of the Council's Waste Enforcement and Licensing Section;
- (iii) Evidence that (i) and (ii) above has been acknowledged in writing as acceptable by the

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Planning Authority.

In addition, documentary evidence of maintenance reports shall be retained for presentation to the Council's Waste Enforcement and Licensing Section when requested.

REASON: In the interest of public health and in order to ensure adequate drainage provision.

2. Wastewater Treatment System.

The Wastewater Treatment System shall be located as per site layout plan and installed in accordance with the relevant Irish Agrément Certificate, or The Environmental Protection Agency's Code of Practice: Wastewater Treatment Systems for Single Houses.

REASON: In the interest of public health and in order to ensure adequate drainage provision.

3. Public Health.

(a) The pressurised percolation area is to include a pressurised filter of 75sqm in size.

(b) Only grey and foul water from the dwelling and garage are to enter the waste water treatment system. All stormwater is to be diverted to separate soak pits.

(c) The location and installation of the Wastewater treatment system and polishing filter must comply with the EPA code of practice 2009 and all manufacturer's specifications.

(d) The proposed polishing filter percolation area and packaged system must comply with all relevant set back distances as per the EPA Code of Practice: Wastewater Treatment and Disposal Systems Serving Single Houses (p.e ≤ 10) 2009, to include:

(i) 3 metres from the site boundary

(ii) 4 metres from any roads

(iii) 10 metres from the percolation area for any dwelling

(iv) 7 meters from the existing septic tank on-site.

(e) The system must be tested to ensure an even distribution across the percolation bed and to ensure a suitable pressure can be achieved through each flushing port before being covered.

(f) The installation must be supervised by a suitably qualified person/contractor and a completion report must be prepared to include photographic evidence of the completion of works, for submission to the Planning Authority.

(g) The system must be de-sludged annually or in accordance with the manufacturer's instructions and serviced at least once a year by a suitably qualified person.

REASON: In the interest of Public Health.

Relevant Enforcement History

None recorded for subject site

Pre-Planning Consultation

The application site was the subject of Pre-Planning consultation (SDCC Ref. PP070/18) for an extension to side, incorporating single-storey hallway & 2-storey dormer extension, and modifications to wastewater & percolation units.

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The applicant was advised at that stage to contact the Water Services Section in relation to the proposed new wastewater and percolation units, prior to the lodgement of an application. The site had not been the subject of an application for an extension of the existing dwelling to date.

Relevant Policy in South Dublin County 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

Policy H27 Rural House and Extension Design

- It is policy of the Council to ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.

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H27 Objective 1:

Ensure that all new rural housing and extensions within areas designated with Zoning Objective 'RU' (to protect and improve Rural Amenity and to provide for the development of Agriculture), Zoning Objective 'HA-DM' (to protect and enhance the outstanding natural character of the Dublin Mountains Area), Zoning Objective 'HA-LV' (to protect and enhance the outstanding character and amenity of the Liffey Valley) and Zoning Objective 'HA-DV' (to protect and enhance the outstanding character and amenity of the Dodder Valley):

- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and
- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; and
- Retains and reinstates traditional roadside and field boundaries; and
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and
- Would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards; and
- Would not create or exacerbate ribbon or haphazard forms of development.

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 8.1.0 Green Infrastructure Network

Policy G2 Green Infrastructure Network

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Section 11.3.4 (iii) Wastewater Treatment

Domestic effluent treatment plants and percolation areas serving rural houses or extensions shall comply with the requirements of the Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards. Such details should be included with applications for new or replacement houses and extensions to existing dwellings where there would be an increase in demand on the treatment capacity of any existing wastewater treatment system.

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Table 11.20: Minimum Space Standards for Houses

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

Section 11.3.3 (iii) Backland Development

Table 11.20: Minimum Space Standards for Houses

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

11.5.1 – Archaeological Heritage

11.5.3 – Architectural Conservation Areas

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

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Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide, 2010

The House Extension design guide contains the following guidance on house extensions, including in particular side/ rear extensions and dormer windows:

Side extensions:

- Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.
- Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.
- Do not incorporate blank gable walls where extensions face onto public footpaths and roads.
- Avoid the use of prominent parapet walls to the top of side extensions.

Rear Extensions:

- *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.*

Relevant Government Guidelines

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

Regional Spatial and Economic Strategy, Eastern & Midlands Regional Assembly, 2019.

Quality Housing for Sustainable Communities: Best Practice Guidelines, Department of the Environment, Heritage and Local Government (2007).

The Planning System and Flood Risk Management: Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2009), as supplemented by

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'Planning Circular 02/2014 Flood Risk Management', Department of the Environment, Community and Local Government (2014).

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG (2009)

Assessment

The main issues for assessment are:

- Zoning and Council policy;
- Visual impact and residential amenity;
- Services and drainage;
- Environmental impact assessment;
- Appropriate assessment.

Zoning and Council Policy

The site is located in an area with zoning objective RU - *'To protect and improve rural amenity and to provide for the development of agriculture'* in the South Dublin County Development Plan 2016-2022.

The use class 'Residential' is listed as open for consideration under this zoning objective subject to accordance with Council policy for development in rural areas. The proposed development will be assessed in the context of its accordance with Council Policy, in particular, compliance with the South Dublin County Council House Extension Design Guide, 2010 and Policy H27.

Visual Impact and Residential Amenity

Policy H27

As the site is located within an area zoned as 'rural', the proposed extensions must meet the requirements of Policy H27 (objective 1), which is as follows:

Policy H27 Objective 1:

- *Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; **and***
- *Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; **and***

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- *Is designed and sited to minimise impact on the site's natural contours and natural drainage features; and*
- *Retains and reinstates traditional roadside and field boundaries; and*
- *Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and*
- *Would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards; and*
- *Would not create or exacerbate ribbon or haphazard forms of development.*

Rural Housing Policy

Main Side / Rear Extension

The proposed works are an extension to the existing side/rear of the semi-detached cottage-type dwelling. It is noted that the proposed structure is significantly large in context to the original dwelling, with the proposed side / rear extension adding circa 95 sq.m to the northwest of the existing 83.7 sq.m dwelling, hence the proposal is larger than the size of the existing residence.

The proposed single storey side / rear extension has a pitched roofed structure at matching height of the original dwelling with a (side) westerly projecting depth of 13.6m and projecting to the (rear) north by 8m in an inverted L shape. It is considered that the proposal will result in a visually unbalanced extension in context to its surroundings. The planning authority have concerns that the proposed extension would fail to appear subservient to the main dwelling and would not complement it. It is considered that the proposed development is an overdevelopment of the existing bungalow at an existing width of 13.6m. Having regard to the excessive mass and scale of the extension along the western side of the semi-detached dwelling.

It is considered that a single storey side extension and a single storey rear extension that is significantly reduced in depth could be accommodated on this site provided the size and scale issues are addressed. In this context the applicant is required to address this by **Additional Information**.

Furthermore, it is considered that the submitted drawings under '*existing site layout*' and '*proposed site layout*' are inadequate. The planning authority note anomalies of the submitted drawings and the omission of specific details where the rear extension is not joined to the main dwelling.

Accurate drawings are required for the planning authority to assess the said proposal fully. More detail is required with regard to site levels and contours and the impact on the existing landscape. Contiguous elevational drawings are also requested with regards to the proposed extension with all

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the existing structures on site. The drawings shall also be resubmitted with a reduced redesign to lessen the impact of this proposal with **Additional Information**.

Rural Extension

- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and
- *It is noted that there are mature trees and foliage surrounding the site and also that the proposed development would take place immediately to the northwest of the existing dwelling and would not result in any change in levels or increased overall height across the site. Given this, it is considered that the impact on landscape is acceptable.*
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and

From the submitted drawings the applicant appears to retain existing trees and plants on the site and therefore will not have a negative impact on the environment including flora, fauna, soil on the existing site.

- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; and

Under SD18A/0434 – the applicant was granted permission (subject to Wastewater Treatment System conditions) for the relocation & installation of a new wastewater treatment system with polished filtered percolation area; decommissioning of existing septic tank and all associated works.

- Retains and reinstates traditional roadside and field boundaries; and

From the submitted drawings the applicant appears to retain existing and traditional roadside and field boundaries. The proposal does not affect the existing boundary.

- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and
It is deemed that the proposal will require intrusive engineered solutions such as cut and filled platforms, embankments. It is not apparent that these have been clearly labelled on the submitted drawings.

- Would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards; and

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the applicant was granted permission under SD18A/0434 (subject to specific Wastewater Treatment System conditions) for the relocation & installation of a new wastewater treatment system with polished filtered percolation area; decommissioning of existing septic tank and all associated works.

- Would not create or exacerbate ribbon or haphazard forms of development.

The proposed extension is adding circa 95 sq.m to the northwest of the existing dwelling, almost doubling the size of the existing detached cottage and built into the existing landscape, it is deemed it shall impact on the landscape and therefore create or exacerbate ribbon or haphazard forms of development and therefore is contrary to the proper planning and sustainable development of the area.

While it appears, there is scope on this site to accommodate a bungalow extension it would have to be significantly redesigned and substantially reduce in size and scale. In this context it is not considered the proposal would have an acceptable impact on visual amenity. Given the above, it is not considered that the proposal meets the requirements of Policy H27.

Residential Amenity

Regarding residential amenity, the proposed dwelling would be a single-storey only and would not result in any adverse impacts on the amenity of the adjacent occupiers to the east. The dwelling is situated on a large plot, and a significant level of private amenity space would remain following the proposed development. It is considered the provision for a side rear extension could accommodate this site; however, significantly redesigned and substantially reduced in size and scale. The impact on residential amenities would be considered acceptable, subject to outlined changes.

Services and Drainage

In the absence of a Surface Water Drainage report, the following is noted under *granted permission under SD18A/0434 (subject to specific Wastewater Treatment System conditions)*

The existing three-bedroom house on the site is served by a septic tank located at the rear of the property. The cover letter and plans & particulars submitted with the application do not indicate the rationale or need for decommissioning the existing septic tank. The Site Suitability Assessment lodged with the application indicates that the proposed wastewater treatment system and pressurised percolation area would provide capacity for a household size of 7 persons.

The Site Suitability Assessment has mistakenly claimed that there are no wells or springs within 250m of the site. St. Finian's Holy Well, a protected structure, is located approximately 100m away from the site. The Environmental Health Officer has advised that the well would be unaffected by the proposed development.

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Irish Water has indicated that they have no objection to the proposed development.

Archaeology and Geology

The following is noted *under SD18A/0434 regarding the SEA Sensitivity Screening*

The application site is located in the Area of Archaeological Potential associated with Newcastle village recorded monument (RMP Ref. DU020 – 003).

The site is also located in a Geological Site of Protection associated with Newcastle Buried Channel, a deep buried channel in the carboniferous limestone bedrock, representing the site of a former Vauclisian Spring type cave (a large resurgence of groundwater from a cave).

Having regard to the above and the requirements of the Additional Information with the reduction of the proposal in size and scale, it is considered that there would be no adverse impacts on these issues.

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 rural area and comprises of a side and rear extension.

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Having regard to:

- the scale and domestic nature of the development,
- the location of the development in a serviced rural 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 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

Side / Rear Extension: circa 95 sq.m.

Assessable area: 55 sq.m

SEA Monitoring

Building Use Type Proposed: Residential extension.

Floor Area: circa 95 sq.m.

Land Type: Brownfield/Urban Consolidation

Site Area: 0.76 Ha.

Conclusion

While it appears, there is scope on this site to accommodate a bungalow extension it would have to be significantly redesigned and substantially reduce in size and scale. In this context it is not considered the proposal would have an acceptable impact on visual amenity. Given the above, it is not considered that the proposal meets the requirements of Policy H27 it is deemed appropriate to request **Further Information** for a reduced design and clarity on the submitted drawings, site level and content of the entire site.

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

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1. The Planning Authority deem there is scope on this site to accommodate a bungalow extension, however it would have to be significantly redesigned and substantially reduced in size and scale. In its present context it is not considered the proposal would have an acceptable impact on visual amenity. Given the above, it is not considered that the proposal meets the requirements of Policy H27. The planning authority has concerns that the proposed extension would fail to appear subservient to the main dwelling and would not complement it. It is considered that the proposal is an overdevelopment of the existing semi-detached bungalow in size and scale at a current width of 13.6.m along the western side of this Rural site.
 - (i) the applicant is requested to provide a redesign with a significant reduction in scale and size to lessen the impact of the proposed extension and resubmit fully contiguous, elevational and sectional drawings.

2. The planning authority note anomalies in the submitted drawings and the omission of specific details where the rear extension is not joined to the main dwelling. It is considered that the submitted drawings under 'existing site layout' and proposed site layout' are inadequate. Accurate drawings are required for the planning authority to assess the said proposal fully with site levels and entire structures on site. The applicant is requested to submit revised drawings to address the following:
 - (i) site levels and contours and the impact of the proposal on the existing landscape.
 - (ii) full contiguous/elevational/sectional drawings regarding the redesigned extension with all the existing structures on site.

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REG. REF. SD22B/0236

LOCATION: An Dairdubh, 32, Lyons Road, Newcastle, Co. Dublin, D22 H589

Colm Harte

**Colm Harte,
Senior Executive Planner**

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date:

20/7/22

Eoin Burke
Eoin Burke, Senior Planner