

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0249 **Application Date:** 31-May-2022
Submission Type: New Application **Registration Date:** 31-May-2022

Correspondence Name and Address: Mr. Kenneth O'Hara, Ryehill Planning & Design
Caherlissakill, Monivea, Monivea, Co Galway, H65
EF66

Proposed Development: (a) Demolition of existing single storey garage & residential space to side elevation
(b) Demolition of existing fuel store to rear garden
(c) Construction of two storey extension & single storey extension to rear elevation
(d) 2no Velux windows to proposed extension

Location: 91, Wainsfort Road, Dublin 6w

Applicant Name: Mr. Eamonn Garvey & Mark Herbert, Restfile Ltd

Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Area: as stated 0.03751 Hectares.

Site Description:

The subject site accommodates an east facing two storey end of terrace house with hipped roof profile and a single-storey side garage with flat roof to the south. The house is typical of the character of the street and the wider area. Several houses in the area have been extended to the rear and side, with side extensions above the single-storey return being common, as well as rear extensions.

To the south No.95 and 93 are later builds and linked to the College Square Development to the west. The streetscape of Wainsfort Road is characterised by semi-detached two-storey houses of similar character and appearance with front and rear gardens with driveways, with mature street trees set in broad grass margins. There is an on-road cycle lane, and no on-street parking.

Proposal:

- (a) Demolition of existing single storey garage & residential space to side elevation
- (b) Demolition of existing fuel store to rear garden
- (c) Construction of two storey extension & single storey extension to rear elevation
- (d) 2no Velux windows to proposed extension

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

Zoning:

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

Consultations:

Surface Water Drainage – No report received - subject to conditions.

Irish Water – No report received - subject to conditions

Roads - No objections subject to conditions.

SEA Sensitivity Screening - No overlap indicated.

Submissions/Observations /Representations

Submissions were received from a neighbouring third party. The main issues raised are summarised below:

- Concerns that the extension is not two meters from the boundary wall with No.93.
- Concerns the site notices do not match the application submission, the site notice on file or the newspaper notice.
- Concerns that light to the landing on the stairs will be impacted by the neighbouring proposal.
- Concerns of overlooking from the rear, roof lights and front extension.

The issues raised in the third-party submissions have been considered in assessing this planning application.

Relevant Planning History

None recorded for subject site.

Adjacent sites:

SD20B/0156 - 89, Wainsfort Road, Dublin 6w – Permission Granted for a 2-storey extension to rear and side of semi-detached dwelling and demolition of existing corrugated roof shed to rear. The extension consists of flat roofs to ground and first floors, copper cladding to first floor, painted render to ground floor, aluminium frame windows, sedum roof to ground floor, soak-away in rear garden, landscaping and associated site works.

SD20B/0060 - 62, Wainsfort Road, Dublin 6w – Additional information Requested (11.06.2020) for Alteration/extension of existing two storey, semi-detached house comprising demolition of the existing rear and side extensions and construction of a new single storey and two storey flat roof extension to the rear & side of the house with associated modifications to existing fenestration and site development including widening of the existing vehicular entrance.

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

SD19B/0299 - 78, Wainsfort Road, Terenure, Dublin 6W – Grant Permission & Grant Retention for retention of existing alterations & extensions and permission for new alteration/extensions to the existing two storey semi-detached house comprising of demolition of the existing two storey rear extension and construction of a new two storey flat roof extension to the rear; extension of the pitched roof with new rooflights; construction of a single storey flat roof extension to the front and conversion of the garage to habitable use; with associated modifications to the existing fenestration and site development, including widening of the existing vehicular entrance.

SD17B/0058 – 39, Wainsfort Road, Dublin 6w – Grant permission for Demolition of existing garage and chimney to side, new two storey extension with pitched roof to front and side of existing dwelling, new front door and bay window to front with tiled canopy over.

SD06B/0275 – 87, Wainsfort Road, Terenure, Dublin 6W – Grant Permission for two storey extension with attic conversion, garage conversion and front porch, single storey extension to rear and widening of vehicular entrance.

Relevant Enforcement History

None on record.

Pre-Planning Consultation

None on record.

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).

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

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. 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.*
- *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

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).

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,
- Service water and drainage.

Zoning and Council Policy

The development comprising a front, side and rear extension is 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.

Site Notices.

Regarding concerns by the neighbouring property, an incorrect address was submitted on the subject site notice. The Planning Authority noted the site notice had the correct address on the 24th of June 2022. In addition, the site notice was directly outside the subject property and considered acceptable.

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

Residential & Visual Amenity

Front Extension

The proposal has a 1.6m projection and links with the side extension via a pitched roof, matching in style with the existing dwelling and consistent with the immediate area's existing development. In addition, the proposal is consistent with the guidance set out in Section 4 'Front Extensions' of the South Dublin County Council House Extension Design Guide (2010).

Side Extension

The proposal involves the demolition of the existing garage and construction of a two-storey side extension. The proposal reflects the character, design, and fenestration of the existing house and is considered to integrate cohesively to the visual and residential amenities of the area. The proposal appears subservient to the existing dwelling with a lowered hipped roof profile and the first floor recessed back by 2m from the front building line, and is considered seamless in scale, size and context to the main dwelling. It is not considered that the proposal will cause any significant level of overbearing impact or overshadowing to the neighbouring properties and is consistent with the guidance set out in Section 4 'Side Extensions' of the South Dublin County Council House Extension Design Guide (2010)

The proposed two-storey side extension projects 5.7m in width from the gable side of the building and would be built abut with the shared boundary of the neighbouring property to the south of the site. It is noted that No. 93 Wainsfort Road to the immediate south is a later build to the end of Wainsfort road and has vehicular parking associated with the dwelling to the rear of a cul-de-sac from Wainsfort Manor Drive. i.e., within a College Square residential development to the west.

Due to the established street building line, the subject front extension proposal now projects 2m beyond the front building line of No. 93 to the south. However, it is also noted that No. 93 and No.95 Wainsfort Road were later built and recessed back from the main street building line and are distinctive to the college square development to the west.

The subject projection is consistent with forwarding projections north of the site with similar dwellings on Wainsfort Road. Regarding the concerns of No.93, a **note** shall be applied that any oversailing of the property shall require consent from the property owners. Also noted are two Velux windows on the gable side and it not considered that any issues of overlooking would arise from the gable side roof of the extension. It is considered the side extension proposal would not be significantly injurious to the amenities of the adjacent property south of the site and considered visual and aesthetically acceptable at this location.

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

Rear Extension

The proposed single-storey rear extension projects 3.7m from the rear building line and would be set back off the shared boundary walls with the neighbouring property to the north and south of the site. In the case of No. 93 Wainsfort Road, it is noted that the proposed rear extension would not project past the rear building line of the adjoining property and therefore would not result in any significant level of overbearing impact on the adjoining rear private open space of the neighbouring dwelling to the north. The proposed height, at 3.6m, is considered tall, and there potentially would be a level of impact on the amenities of the adjacent property to the north of the site. Accordingly, it is recommended that a condition be imposed reducing the height of the extension to a maximum of 3.4 meters. The pattern of development sees rear extensions in neighbouring properties in the area. No undue issues of overshadowing are envisaged. The minimum private open space requirement is comfortably achieved for a four-bedroom house. It is considered to provide sufficient residential amenities for future occupants. The development complies with the design guidelines for extensions as set out in the *'House Extension Design Guide'* in the current South Dublin County Council Development Plan 2016-2022. therefore, a grant of permission is recommended.

Roads and Access

The Roads Department report states no objections subject to the following:

The following conditions are recommended:

1. The vehicular access points shall be limited to a width of 3.5 meters.
2. Any gates shall open inwards and not out over the public domain.
3. 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.

The above 1 and 2 requirements are not applicable as the site does not propose any changes to the vehicular entrance, however no.3 can be sought by **condition** in the event of a grant of permission due to the reduced size of the driveway.

Services & Drainage

Regarding surface water drainage and flood risk, the Water Services, no report was received however standard **conditions** to Include water butts as part of Sustainable Drainage Systems (SuDS) for the proposed development.

Irish Water have not submitted a report; however, the proposal is subject to the attachment of standard **conditions** related to Irish Water codes and practice. This is considered appropriate.

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

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 front / side / 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 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 Assessment Overall Quantum

Proposed Side/Rear Extension:	76 sq.m
Residential Demolish	5 sq.m
Assessable Area:	36 sq.m

SEA Monitoring Information

Building Use Type Proposed:	
Floor Area:	76 sq.m
Land Type: Urban Consolidation.	
Site Area:	0.03751 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 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. It is considered that the proposed extension would be in compliance with Council policy in relation to extensions to dwelling houses.

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

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.
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) 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

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

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 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

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

Dublin County Council Development Plan.

3. (a) The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section.
(b) The applicant shall include water butts as part of Sustainable Drainage Systems (SuDS) for the development.
(c) 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, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision

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.
REASON: In the interests of public health, safety, the proper planning and sustainable development of the area.

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €3,761.64 (three thousand seven hundred and sixty one euros and sixty four 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.

6. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

Revised plans that incorporate all of the following amendments-

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

(a) The maximum height of the rear extension shall be reduced to 3.4 meters.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

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: 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.

Comhairle Chontae Atha Cliath Theas

PR/0953/22

Record of Executive Business and Chief Executive's Order

**REG. REF. SD22B/0249
LOCATION: 91, Wainsfort Road, Dublin 6w**

Colm Harte
Colm Harte,
Senior Executive Planner

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

Date: 25/7/22

Eoin Burke
Eoin Burke, Senior Planner