

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

**Reg. Reference:** SD22B/0244      **Application Date:** 10-Jun-2022  
**Submission Type:** New Application      **Registration Date:** 10-Jun-2022

**Correspondence Name and Address:** Mr. Michael Malone, Ceardean Architects 9,  
Dolphins Barn, Dublin 8

**Proposed Development:** The construction of two storey extension to the side,  
a single storey extension to fore with attic dormer to  
the rear, of the  
  
existing end of terrace dwelling house, and retention  
of the as-built garden play structure in the rear garden  
and enlarged  
  
storage shed to the rear, and all associated site works

**Location:** 11, Elm Walk, Forest Hill, Rathcoole, Co Dublin,  
D24 AE81

**Applicant Name:** Mr. Stephen Fearon

**Application Type:** Permission and Retention

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

#### Site Area

Stated as 0.0342 Ha.

#### Site Description

The subject site is located within an established residential area at No. 11 Elm Walk, Forrest Hills, Rathcoole, Co. Dublin. The site is bounded to the north by a pedestrian walkway and public open space, to the west by No. 12 Elm Walk, to the east by by a laneway providing access to the rear of properties along Forest Hills and to the south by a parking area and circulation road for the dwellings along Forest Hills. The surrounding area is generally characterised by residential dwellings of a similar size and scale to the subject site.

The subject site is comprised of a north facing 2-storey end of terrace house with pitched roof profile with a ridge height of approximately 7.68m, a front garden of approximately 75 sq m, and a rear south facing garden of approximately 100 sq m containing a single store garden shed structure (approximately 56.7 sq m) and a treehouse structure. The house contains an entrance hall, living/kitchen/dining room, 2 No. storage rooms and a toilet at ground floor level and 3 No. bedrooms and a family bathroom at first floor level. The house appears to have been subject to previous modification with a single storey side and rear extension with a pitched roof projecting approximately 3.4m out from the rear elevation, 1.5m out from the side elevation and spanning

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

the full length of the dwelling. The house is typical of the character of the surrounding streetscape and the wider area.

### **Proposal**

The proposed development is comprised of the following:

- Permission is sought for:
  - A single storey extension to the front of the existing dwelling projecting approximately 1.8m out from the front elevation, spanning a width of approximately 6.6m and with a sloped roof profile with a maximum height of approximately 4m and an eaves height of approximately 2.8m. The front extension includes an entrance door and 1 No. large window both of which are in approximately the same position as the existing door and window.
  - A first floor extension to the side of the existing dwelling projecting approximately 1.5m out from the western elevation and spanning a length of approximately 7.2m with a pitched roof profile with an approximate ridge height of 7.68m to match the existing dwelling. The proposed first floor side extension includes 1 No. window to the rear (southern) elevation. No fenestration is proposed to the side (western) and front (northern) elevation.
  - A first floor extension to the rear of the existing dwelling projecting approximately 3.5m out from the southern elevation, with an approximate width of 4.5m and a flat roof profile with an approximate height of 5.5m. The first floor extension to the rear includes 1 No. window to the rear (southern) elevation. No fenestration is proposed to the side elevations.
  - Conversion of the attic to a habitable space comprised of a fourth bedroom and ensuite and provision of a dormer extension which projects approximately 3.5m out from the rear pitch of the existing roof profile, spans an approximate width of 2.6m and has a flat roof profile with an approximate height of 7.68m to match the ridgeline of the existing dwelling. The proposed dormer includes 1 No. centrally located window to the rear (southern) elevation.
  - As a result of the proposed extensions to the existing dwelling the gross floor area of the dwelling will be increased by approximately 70 sq m to a total of 121 sq m and the internal layout will be reconfigured with an enlarged entrance hall and living room at ground floor level, 3 No. bedrooms, one of which includes an ensuite bathroom, walk-in closet and office area and another which includes a

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

walk-in closet and a family bathroom at first floor level and a fourth bedroom and ensuite at attic level.

- Retention permission is sought for:
  - The existing single storey garden shed structure located in the rear garden directly adjoining the rear (southern) and side (western) boundaries. The garden shed structure has an approximate gross floor area 46 sq m with an internal layout comprised of 3 No. separate storage rooms. The garden shed has an approximate width of 7m, an approximate length of 8.1m and a flat roof profile with an approximate height of 2.7m above ground level. There are 2 No. windows in the northern elevation and 1 No. window and an access door in the eastern elevation.
  - An existing tree house structure which has an approximate width of 1.5m, an approximate length of 1.5m and a flat roof profile with an approximate height of 3.85m.
- All ancillary site works above and below ground.

### **Zoning**

The site is subject to zoning objective 'RES' – 'To protect and/or improve residential amenity' in the South Dublin County Development Plan 2016-2022.

### **Strategic Environmental Assessment Sensitivity**

Overlap is indicated with the following environmental layers:

- Areas of Archaeological Potential – Rathcoole Architectural Conservation Area.
- Record of Monuments and Places – Rathcoole Village Dúchas No. 021-030.

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

Last date for Submissions/Observations – 14<sup>th</sup> July 2022.

None received.

### **Relevant Planning History**

#### **Subject Site**

None recorded.

#### **Neighbouring Sites**

No significant recent planning history in the vicinity of the subject site.

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

### **Relevant Enforcement History**

None recorded for the subject site.

### **Pre-Planning Consultation**

None recorded.

### **Consultations**

Water and Drainage Services Department – No Report received at time of writing this Report.

Irish Water – No Report received at time of writing this Report.

Roads Department – No objection.

Parks and Public Realm Department – No objection.

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

*Section 2.4.1 Residential Extension*

*Policy H18 Residential Extension*

#### **Objective 1**

*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 2.4.2 Family Flats*

*A family flat refers to a temporary subdivision or extension of a single dwelling unit to provide semi-independent accommodation for an immediate family member (older parent or other dependent). The Council will consider family flat developments where an established need has been satisfactorily demonstrated.*

*H19 Objective 1: To favourably consider family flat development where the Council is satisfied that there is a valid need for semi-independent accommodation for an immediate family member (such as an older parent or other dependent), subject to the design criteria outlined in Chapter 11 Implementation.*

#### *Section 6.3.0 Walking and Cycling*

*Policy TM3 Walking and Cycling*

#### **Objective 3**

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

*To ensure that all streets and street networks are designed to prioritise the movement of pedestrians and cyclists within a safe and comfortable environment for a wide range of ages, abilities and journey types.*

*Section 6.4.4 Car Parking  
Policy TM7 Car Parking*

### Objective 3

*To ensure that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape.*

*Section 7.1.0 Water Supply & Wastewater  
Policy IE1 Water & Wastewater  
Section 7.2.0 Surface Water & Groundwater  
Policy IE2 Surface Water & Groundwater*

*Section 10.1.0 Energy Planning in South Dublin County  
Policy E2 South Dublin Spatial Energy Demand Analysis*

### Objective 2

*To seek to reduce reliance on fossil fuels in the County by reducing the energy demand of existing buildings, in particular residential dwellings.*

*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 11.3.3 (ii) Family Flat*

*'A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of a dwelling). A family flat is not considered to represent an independent dwelling unit and as such open space and car parking standards are not independently assessed. Proposals for family flat extensions should meet the following criteria:*

- *The applicant shall be required to demonstrate that there is a genuine need for the family flat,*

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

- *The overall area of a family flat should not exceed 50% of the floor area of the main dwelling house,*
- *The family flat should be directly accessible from the main dwelling via an internal access door, and*
- *The design criteria for dwelling extensions will be applied.*

*Section 11.7.2 Energy Performance in new Buildings*

*Section 11.8.0 Environmental Assessment*

### **South Dublin County Council House Extension Design Guide, 2010**

The House Extension Design Guide contains the following guidance on house extensions, including for porches and front extensions:

#### **Elements of Good Extension Design**

- *Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible.*

#### **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 expose and complement rather than hide or cover original distinctive features of a house such as bay windows.*
- *Keep front boundary walls or railings, particularly if they are characteristic of the street or area.*
- *Try to maintain a minimum driveway length of 6m.*

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

- *Avoid extensions that are dominant or overlarge in relation to the scale and appearance of the house.*
- *Avoid excessive use of 'cosmetic' features such as mock classical columns, Spanish arches, decorative lattice fascia boards, balustrades, stonework, etc., that are not typical of the design of the original 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.*

### 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 or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *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.*
- *Do not create a higher ridge level than the roof of the main house.*

### For attic conversions and dormer windows

- *Use materials to match the existing wall of roof materials of the main house;*

# Comhairle Chontae Atha Cliath Theas

## PR/0985/22

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

- *Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch;*
- *Locate dormer windows as far back as possible from the eaves line (at least 3 tile courses);*
- *Relate dormer windows to the windows below in alignment, proportion and character; and*
- *In the case of a dormer window extension to a hipped roof, ensure it sits below the ridgelines of the existing roof and matches the materials used in the main house.*

#### Overlooking and loss of privacy

- *Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.*

#### Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

#### Relevant Government Guidelines

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

**Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

**Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas**, Department of the Environment and Local Government (2009).

**Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities**, Department of the Environment, Heritage and Local Government, (2009).

**OPR Practice Note PN01 Appropriate Assessment Screening for Development Management** (March 2021).



# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

### **Assessment**

The main issues for assessment are:

- Zoning and Council Policy.
- Visual Impact and Residential Amenity.
- Access and Parking.
- Drainage and Water Services.
- Environmental Impact Assessment.
- Appropriate Assessment.

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

The proposed development is permitted in principle under the land-use zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to compliance with the relevant provisions of the South Dublin County Development Plan 2016 - 2022 and the South Dublin County Council House Extension Design Guide 2010.

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

An assessment of each of the key elements of the proposed development and their potential impact on the visual and residential amenity of the existing dwelling and adjoining properties is outlined below.

### **Single Storey Front Extension**

The proposal includes a single storey extension to the front of the existing dwelling projecting approximately 1.8m out from the front elevation, spanning a width of approximately 6.6m and with a sloped roof profile with a maximum height of approximately 4m.

The proposed extension is largely complementary to the style of the existing dwelling, with the door and window location remaining in approximately the same position, with no new fenestration proposed to the front elevation and the shape and slope of the roof profile largely matching that of the main roof. However, the following extracts from the South Dublin House Extension Design Guide (2010) in relation to front extensions and potential overbearing impact is of note:

*'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.'*

Considering that the proposed extension would not impact on any off street parking provision, the proposed depth is in this instance considered acceptable.

### **First Floor Side Extension**

A first floor extension to the side of the existing dwelling projecting approximately 1.5m out from the western elevation and spanning a length of approximately 7.2m with a pitched roof

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

profile with an approximate ridge height of 7.68m to match the existing dwelling. The proposed first floor side extension includes 1 No. window to the rear (southern) elevation. No fenestration is proposed to the side (western) and front (northern) elevation.

Having regard to the public laneway adjacent to the western boundary of the subject site, it is considered that the proposed side extension will not adversely impact the visual and residential amenity of adjoining properties and the surrounding streetscape. The continuation of the pitched roof profile is welcomed as it will retain the visual appearance of the roof profile along Elm Walk.

However, a concern arises regarding the lack of the passive surveillance of the adjacent public realm presented by the blank western elevation. Whilst it is acknowledged that the existing western elevation of the dwelling does not include fenestration which would provide passive surveillance to the adjacent public realm, it is considered that the proposed development of this Application represents an opportunity to improve upon this existing scenario. Policy H12 Objective 2 of the Development Plan states that:

*'To ensure that there is a clear definition between public, semi-private and private open space at a local and district level and that all such open spaces benefit from passive surveillance from nearby residential development'.*

Having regard to Policy H12 Objective 2 and the public realm adjacent to the western boundary of the subject site, it is considered appropriate that, should the Planning Authority be minded to Grant Permission for the proposed development a **CONDITION** should be attached requiring the re-design of the proposed development to include at least one window at first floor level to the side (western) elevation, as it would result in increased passive surveillance to the adjacent public realm. It is acknowledged that the proposed layout of the side extension is not conducive to fenestration owing to the ensuite bathroom and walk-in closet at this location. However, it is considered that the inclusion of a window at the access stairs to the attic level could provide passive surveillance to the adjacent public realm.

### First Floor Rear Extension

A first floor extension to the rear of the existing dwelling projecting approximately 3.5m out from the southern elevation, with an approximate width of 4.5m and a flat roof profile with an approximate height of 5.5m. The first floor extension to the rear includes 1 No. window to the rear (southern) elevation. No fenestration is proposed to the side elevations.

The proposed first floor extension to the rear generally complements the style, materials and details of the existing dwelling. Although there is potential for the proposed dormer window to overlook the rear amenity space of adjacent properties, it is not considered that it would be materially worse than views from the existing first floor windows and therefore would not give

# Comhairle Chontae Atha Cliath Theas

PR/0985/22

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

rise to unacceptable levels of overlooking. However, a slight concern arises in relation to the design of the roof profile having regard to the following extract from the South Dublin House Extension Design Guide (2010) is of note:

*'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.'*  
[Emphasis added]

In this instance having regard to the receiving context of the subject site which includes a rear garden with an approximate length of 20m and the car parking area containing garages for the dwellings along Forest Hills to the rear of the subject site, the proposed flat roof profile is considered acceptable as it would not be visually prominent from a public road or area.

### Attic Conversion and Dormer Extension

The proposed development includes the conversion of the attic space to a habitable space comprised of a fourth bedroom and ensuite and provision of a dormer extension which projects approximately 3.5m out from the rear pitch of the existing roof profile, spans an approximate width of 2.6m and has a flat roof profile with an approximate height of 7.68m to match the ridgeline of the existing dwelling. The proposed dormer includes 1 No. centrally located window to the rear (southern) elevation.

The following extract from the South Dublin House Extension Design Guide (2010) in relation to dormer extensions is of note:

*'Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch  
Relate dormer windows to the windows below in alignment, proportion and character'*

The proposed dormer appears to be located at least 3 No. tile courses above the eaves line, however it does not appear to be set below the ridge line of the roof. Should the Planning Authority be minded to Grant Permission for the proposed development, a **CONDITION** should be attached requiring the re-positioning of the proposed dormer to site at least 100mm below the ridge line of the existing dwelling.

The proposed dormer window does not appear to relate to the alignment of the windows of the lower floors of the existing dwelling. In this regard, should the Planning Authority be minded to Grant Permission for the proposed development, a **CONDITION** should be attached requiring the re-positioning of the proposed dormer window to align with those of the first floor below.

Having regard to the receiving context of the subject site and the scale of the proposed dormer it is considered that the proposal would not be materially harmful to neighbouring residential

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

amenity in terms of overshadowing and overbearing. Although there is potential for the proposed dormer window to overlook the rear amenity space of adjacent properties, it is not considered that it would be materially worse than views from the existing first floor windows and therefore would not give rise to unacceptable levels of overlooking. Overall, it is considered that the proposal would not have an adverse impact on the residential and visual amenity of the subject site and adjacent properties.

### **Single Storey Garden Shed Structure and Treehouse**

Retention permission is sought for a single storey flat roof garage located in the rear garden directly adjoining the rear (southern) and side (western) boundaries. The garden shed structure has an approximate gross floor area 46 sq m with an internal layout comprised of 3 No. separate storage rooms. The garden shed has an approximate width of 7m, an approximate length of 8.1m and a flat roof profile with an approximate height of 2.7m above ground level. There are 2 No. windows in the northern elevation and 1 No. window and an access door in the eastern elevation.

The garage structure directly adjoins the southern and western boundaries of the subject site, directly adjoining an outbuilding located in the rear garden of No. 12 Forest Hills to the west. It is noted that the rear gardens along Forest Hills contain structures of a similar scale and massing. In this regard, it is considered that the structure will not adversely impact the visual and residential amenity of the subject site, adjoining properties and the surrounding streetscape.

The internal detail shown on Drawing No. 203 – *Existing Floor Plans* appears to show the shed structure is utilised as a storage space. This is considered to be an appropriate use for the structure which is ancillary to the main dwelling, however it is considered appropriate that, should the Planning Authority be minded to Grant Permission for the development, a **CONDITION** should be attached ensuring that the garage is not occupied as a dwelling and remains ancillary to the main dwelling.

### ***Access and Parking***

The Roads have assessed the proposed development and indicated no objection.

It is noted that no amendments are proposed to vehicular access arrangements and the remaining driveway length is approximately 7m.

### ***Drainage and Water Services***

The Irish Water Network map appears to indicate that the subject site is serviced by a public mains and sewer. Should permission be granted for the proposed development, it is considered appropriate that standard drainage **CONDITIONS** should be attached relating to water supply, surface water and foul water drainage.

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

### ***Screening for 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 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.

### ***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 front rear and side extensions to an existing dwelling and retention permission for a garage structure. 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.

### **Other Consideration**

#### ***Development Contributions***

<b>Development Contributions</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq m)</b>
Residential Extension (Excluding non-habitable Shed Structure)	70 sq m
Previous Extension	27.7 sq m
Assessable Area	57.7 sq m

#### ***SEA Monitoring***

<b>SEA Monitoring Information</b>	
<b>Building Use Type</b>	<b>Floor Area (sq.m)</b>
Residential (Habitable Extension and Shed Structure)	122 sq m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield / Urban Consolidation	0.0342

# **Comhairle Chontae Atha Cliath Theas**

**PR/0985/22**

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

### **Conclusion**

The proposed development would generally accord with the South Dublin County Development Plan 2016-2022 and the South Dublin County House Extension Design Guide (2010) and it is considered that, subject to conditions, the proposal would adhere to the key principles of proper planning and sustainable development.

### **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 & Grant Retention 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.
  - (i) Retention Permission is granted for the existing non-habitable single storey shed structure (approximately 46 sq m) and the existing tree house structure in the rear garden.
  - (ii) Permission is granted for the single storey extension to the front, first floor side and rear extension and attic conversion and dormer extension. The development shall be carried out and completed in its entirety 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. Prior to the commencement of development the Applicant is required to submit for the written agreement of the Planning Authority amended plan, elevational and sectional drawings demonstrating the application of the following amendments:

- (i) The addition of at least 1 No. window to the western elevation of the dwelling at first floor or attic level to increase the passive surveillance of the adjacent public realm.

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

(ii) The repositioning of the dormer extension to sit at least 100mm below the ridgeline of main roof profile of the dwelling.

REASON: In the interests of protecting the amenity of adjacent properties and the surrounding streetscape and the proper planning and sustainable development of the area.

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, the proposed extension and garage structure 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.

# Comhairle Chontae Atha Cliath Theas

**PR/0985/22**

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

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

#### 4. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €6,029.07 (six thousand and twenty nine euros and seven 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



# **Comhairle Chontae Atha Cliath Theas**

**PR/0985/22**

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

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](mailto: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 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.

NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

**Comhairle Chontae Atha Cliath Theas**

**PR/0985/22**

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

**REG. REF. SD22B/0244**

**LOCATION: 11, Elm Walk, Forest Hill, Rathcoole, Co Dublin, D24 AE81**

*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 & Grant Retention 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:**

2/8/22

*Eoin Burke*

**Eoin Burke, Senior Planner**