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Record of Executive Business and Chief Executive's Order

Reg. Reference:SD22B/0061Application Date:14-Feb-2022Submission Type:AdditionalRegistration Date:11-Jul-2022

Information

Correspondence Name and Address: Robert Burke 37, North Great Georges Street, Dublin

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Proposed Development: Demolition of an existing shed (25sq.m) to the rear,

and the construction of a new part single storey (43sq.m) and part two storey (17sq.m) pitched roof extension to the rear, the installation of roof lights to the existing roofs and all associated site works.

Location: 157, 'Cottages', Old Court Road, Tallaght, Dublin 24

Applicant Name:Teres SmallApplication Type:Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.1 hectares.

Site Description:

The application site contains a single storey, semi-detached cottage, located on Oldcourt Road. The surrounding area is residential in nature, with new development located to the south of the site, forming the boundary to rural lands.

Site visited:

16 March 2022

Proposal:

Permission is sought for the following:

- Demolition of 25sq.m shed
- Construction of part-two storey/part-single storey side and rear extension (60sq.m) with pitched roof and single flat roof dormer on rear roof slope
- Roof lights
- Replacement of PVC windows with aluclad/timber windows
- Internal layout alterations

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Zoning:

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

Consultations:

Water Services – **Additional information** recommended Irish Water – **Additional information** recommended

SEA Sensitivity Screening

Indicates proximity to PFRA A 2016 and PFRA B 2016

Submissions/Observations/Representations

Submission expiry date -21/03/2022No submissions or objections received.

Relevant Planning History

SD06B/0804: New pitched roof structure over existing single storey accommodation to rear comprising new attic bedroom and en-suite bathroom with 1no. rooflight to front and 3 rooflights to rear. **Permission granted.**

SD06B/0386: The provision of a new pitched roof structure over existing single storey accommodation to rear, comprising of new attic bedroom and en-suite bathroom with gable end window and 2 roof lights. **Permission granted.**

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

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

Section 9.1.4 Older Buildings, Estates and Streetscapes

Policy HCL Older Buildings, Estates and Streetscapes

It is the policy of the Council to encourage the preservation of older features, buildings, and groups of structures that are of historic character including 19th Century and early to mid-20th Century houses, housing estates and streetscapes.

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HCL5 Objective 2:

To ensure that the redevelopment of older buildings, including extensions and renovation works do not compromise or erode the architectural interest, character or visual setting of such buildings including surrounding housing estates or streetscapes.

HCL5 Objective 3:

To encourage the retention, rehabilitation, renovation and re-use of older buildings and their original features where such buildings and features contribute to the visual setting, collective interest, or character of the surrounding area.

Section 11.3.3 Additional Accommodation

(i) Extensions

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

Section 11.5.4 Older Buildings, Estates and Streetscapes

Proposals to extend and/or renovate older buildings and houses should seek to retain original features and finishes that contribute to their architectural or collective interest

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).

Architectural Heritage Protection – Guidelines for Planning Authorities, Department of Arts, Heritage and the Gaeltacht, (2011)

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and visual amenity
- Services, Drainage and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is subject to zoning objective 'RES' - 'To protect and/or improve residential amenity'. A residential extension is 'Permitted in Principle' under this zoning objective.

Residential and Visual Amenity

The proposal includes demolition of an existing shed (25sq.m) and construction of part single-storey (43sq.m), part two-storey (17sq.m) pitched roof rear extension with rooflights. Windows

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would be upgraded, and the internal layout would be altered to provide for modern living. No other changes are noted from drawings.

The cottage has an existing single storey pitched roof rear extension (34sq.m) comprising a kitchen, utility room and bathroom, with a ridge height of 6.165m, 1m higher than the ridge height of the existing cottage. There is no planning history pertaining to this extension.

A single storey pitched roof extension would be located to the rear of existing extension, resulting in 3 pitched roof blocks. The maximum ridge height of the extension would be 5.459m and would not be visible when viewed from Oldcourt Road. This arrangement is considered appropriate and sympathetic to the style of the original cottage fronting Oldcourt Road.

The rear extension would contain a large open plan kitchen and living area, while the internal layout of the existing extension would be altered to comprise a living room, lobby and bathroom. The two-storey element of the extension would be located to the side, built up to the western site boundary, comprising a bedroom at ground floor level and bathroom at first floor. This would create a small courtyard of 5.4sq.m between the existing cottage and the rear extension. A flat roof dormer window would be located on the rear roof slope at first floor level to serve the bathroom. This is considered acceptable.

Bedroom 1 of the original cottage is served by a window on the rear elevation and there would be a distance of only 2m between this window and the blank wall of the extension. Given the north facing aspect of this room, there would be a concern about a lack of light to this room, especially as the neighbouring property has also been extended to the rear. A rooflight is proposed to serve this bedroom, located on the northern roof slope. While this would assist in providing light, it is not considered sufficient to address daylight concerns or the aspect of the room which would overlook a small, enclosed courtyard and blank wall. The applicant should be requested to revise the design, amending the location of the side extension. While it is noted that the proposed rear extension is constructed up to the site boundary, there would be a distance of 8.7m between the window serving bedroom 1 and the wall of the extension and this is considered more appropriate to ensure daylight to bedroom 1. The relocated two-storey element of the proposed works would be located to the east side of the existing extension and while this would be visible from Oldcourt Road, it is not considered that this would be detrimental to the overall appearance and setting of the cottage, as it could be setback a minimum of 6.4m from the original front building line.

Windows would be upgraded from PVC to aluclad/timber, with some alterations to door locations and fenestration to the side and rear of the house. This would not impact the character of the existing cottage and the replacement of windows is considered beneficial for sustainability. Internally, the ceiling of existing cottage would be removed to create a vaulted

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ceiling, with 2 rooflights located on the front roof slope and 1 rooflight located on the rear roof slope. This is considered acceptable.

It is considered that the extension and internal alteration would result in a more logical internal layout, better connecting and integrating the cottage and allowing for modern family living. Given the orientation of the dwelling, it is not considered that there would be significant impacts on the neighbouring dwelling by way of overshadowing or loss of privacy.

Based on the above, the proposal is considered acceptable in principle, however, the relocation of bedroom 3 is considered necessary to ensure residential amenity and this should be sought by way of **additional information**.

Services, Drainage and the Environment

Water Services has reviewed the application and has recommended **additional information** is sought as follows:

- 1.1 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 Soakaway Design.
- 1.2 The applicant is required to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
 - i. At least 5m from any building, public sewer, road boundary or structure.
 - ii. Generally, not within 3m of the boundary of the adjoining property.
 - iii. Not in such a position that the ground below foundations is likely to be adversely affected.
 - iv. 10m from any sewage treatment percolation area and from any watercourse / floodplain.
- 1.3 The applicant shall include Water Butts as part of additional Sustainable Drainage Systems (SuDS) measures for the proposed development.
- 1.4 Should a soakaway prove not to be feasible, then the applicant shall submit the following:
 - i. Soil percolation test results demonstrating a soakaway is not feasible
 - ii. A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features.

Irish Water has reviewed the application and has recommended the following **additional information** is sought in relation to foul drainage:

1. It is unclear where the foul water discharges from the proposed development. The applicant is required to submit a drawing showing existing and proposed foul water

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drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.

It is considered appropriate to request the recommended **additional information** to ensure adequate provision of SuDS measures and foul drainage.

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 house extension. Having regard to:

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

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

Environmental Impact Assessment

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

Conclusion

Additional information should be sought in relation to the following:

- Relocation of two-storey side extension element to ensure sufficient daylight and aspect for bedroom 1.
- Site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 Soakaway Design.
- Drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway
 - Should a soakaway prove not to be feasible, then the applicant shall submit the following:
 - Soil percolation test results demonstrating a soakaway is not feasible

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- A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features.
- Drawing showing SuDS measures, including water butts or otherwise
- Drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer.

Recommendation

Request Further Information.

Further Information

Further Information was requested on 11/04/22 Further Information was received on 11/07/22

Consultations

Water Services – No objection Irish Water – No objection, **conditions** recommended

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

- 1. It is considered that the location of the two-storey side extension would impact the daylight to bedroom 1, located in the original cottage. The north facing aspect, distance of 2m between the window and the proposed blank wall and the location of the rear extension serving the neighbouring dwelling would negatively impact the amenity of this room. While it is noted that a rooflight is proposed, it is not considered sufficient to mitigate these concerns. The applicant is requested to amend the design, relocating the two-storey side extension to allow for better light into bedroom 1.
- 2. There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is requested to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 Soakaway Design.
- 3. The applicant is requested to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
 - (i) At least 5m from any building, public sewer, road boundary or structure.
 - (ii) Generally, not within 3m of the boundary of the adjoining property.

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- (iii) Not in such a position that the ground below foundations is likely to be adversely affected.
- (iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.

Should a soakaway prove not to be feasible, then the applicant shall submit the following:

- (i) Soil percolation test results demonstrating a soakaway is not feasible
- (ii) A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features.
- 4. The applicant is requested to include Water Butts as part of additional Sustainable Drainage Systems (SuDS) measures for the proposed development.
- 5. It is unclear where the foul water discharges from the proposed development. The applicant is requested to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.

Assessment

The applicant has submitted drawings and reports as requested and a letter from the agent date stamped 11th July 2022.

Item 1 – Location of Extension

The applicants have not amended the location of the two-storey rear extension, instead providing a daylight assessment for bedroom 1. While it is noted the roof light will improve the daylight received by this bedroom, the Planning Authority would still have a concern with regard to the aspect of this bedroom and the close proximity (2m) of the windows serving bedroom 3.

To ensure the privacy of both bedroom 1 and bedroom 3, fenestration serving bedroom 3 should be amended by **condition** to provide a glazed doorway into the courtyard area to allow for maintenance and to ensure this is a useable area. This doorway should be offset from being directly in front of the window serving bedroom 1, to ensure no overlooking between the bedrooms which would be a significant concern given the close proximity of 2m. A landscaping plan for the courtyard area should also be required by **condition**.

Items 2, 3 and 4 – Soil Percolation Test Results and SuDS

Water Services have reviewed additional information and have stated no objection, recommending that all works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal. This is considered acceptable.

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Item 5 – Foul Water

Irish Water have reviewed the additional information and have stated no objection to the development. Their report recommends the following **conditions** in the event of a grant, and it is considered appropriate to include as follows:

1. Water

All development shall be carried out in compliance with Irish Water Standards codes and practices.

2. Foul

All development shall be carried out in compliance with Irish Water Standards codes and practices.

South Dublin County Development Plan 2022 – 2028

This application has been assessed against the new Development Plan, effective from August 3rd, 2022, and it is considered that all policies and objectives of the Plan are complied with where relevant.

Conclusion

The development subject to conditions, is considered to be acceptable.

Development Contributions

Development Contributions

Existing extensions: 60 sq.m

Proposed extensions: 60 sq.m Assessable Area: 60 sq.m

SEA Monitoring Information

Building Use Type Proposed: Residential extension

Floor Area: 60sq.m

Land Type: Urban Consolidation

Site Area: 0.1 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022 – 2028 and the overall design and scale of the development proposed it is considered that, subject to 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 proposal would be consistent with Council policy in relation to extensions to dwelling houses.

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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 2022 -2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

- 1. Development to be in accordance with submitted plans and details.
 - The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 11 July 2022, 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. 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-
 - (a) Windows serving Bedroom 3 shall be altered so as not to be directly facing the existing window serving Bedroom 1 (as shown on drawings). A fully glazed door shall be provided to serve Bedroom 3, facilitating daylight to serve the room and also providing access to the courtyard area. Revised plans and elevations shall be submitted to confirm the amendment.
 - (b) A landscape plan shall be submitted for the courtyard area to ensure this can become a functional private amenity space.
 - (c) The window serving the downstairs bathroom shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.
 - REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

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3. (a) External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the house or its context.

REASON: In the interest of visual amenity.

(b) Restriction on Use.

The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

REASON: To prevent unauthorised development.

- (c) Drainage Irish Water.
- (i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
- (ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
- (iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

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

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

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

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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 €6,269.40 (six thousand two hundred and sixty nine euros and forty 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

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be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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REG. REF. SD22B/0061 LOCATION: 157, 'Cottages', Old Court Road, Tallaght, Dublin 24

Com Maguire, 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:

Eoin Burke, Senior Planner