

Comhairle Chontae Atha Cliath Theas

PR/1054/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0286 **Application Date:** 22-Jun-2022
Submission Type: New Application **Registration Date:** 22-Jun-2022

Correspondence Name and Address: John Feehan, Urban Architecture & Construction 35, Ranelagh, Ranelagh Village, Dublin 6

Proposed Development: Proposed single storey front extension incorporating an open porch to the existing 2 storey semi-detached dwelling, along with
a single storey, flat roof rear extension, proposed internal alterations to the existing ground and first floors along with renovation works to an existing rear garden ancillary building to create an ancillary garden room with office area

Location: 39, Chestnut Grove, Kingswood, Dublin 24, D24 P6CK

Applicant Name: Darragh & Lisa Fitzgerald

Application Type: Permission

(CM)

Description of Site and Surroundings:

Site Area
0.1982 Ha.

Site Description

The site accommodates a 2-storey semi-detached house with hipped roof on a wide plot. There is a blockwork shed structure at the end of the rear garden. The house type is typical of the area, and the blockwork structure is replicated next door (No. 38). The house has a smooth render finish at first floor level, and a pale brown brick finish colour at ground floor level.

Proposal:

Proposed **single storey front extension** incorporating an open porch to the existing 2 storey semi-detached dwelling, along with **a single storey, flat roof rear extension**, proposed internal alterations to the existing ground and first floors along with **renovation works to an existing rear garden ancillary building to create an ancillary garden room with office area**.

Zoning:

'RES' – 'To protect and/or improve residential amenity.'

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Consultations:

Environmental Services no reply
Irish Water no reply

SEA Screening

No overlap with the relevant environmental layers.

Submissions/Observations /Representations

None.

Relevant Planning History

None.

Relevant Enforcement History

None.

Pre-Planning Consultation

None recorded for subject site

Relevant Policy in South Dublin County Council Development Plan 2022-2028

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GI1 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

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Section 6.8.2 Residential Extensions

Policy H14: Support the extension of existing dwellings subject to the protection of residential and visual amenities.

H14 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 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

Section 12.5.8 Residential Consolidation

Extensions

The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.

National Guidelines & Policy relevant to Development Management in SDCC

Ministerial Guidelines and Policy

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.

Rebuilding Ireland: Action Plan for Housing and Homelessness, Government of Ireland (2016).

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).

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

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Urban Design Manual, Department of the Environment, Heritage and Local Government, (2008).

Urban Development and Building Heights Guidelines for Planning Authorities, (2018)
Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government (2007).

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

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

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy;
- Residential amenity and visual impact;
- Drainage
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning and Council Policy

The site is located in an area which is subject to zoning objective 'RES' – '*To protect and/or improve Residential Amenity*'. The development of an extension or alteration to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan with specific reference to Section 12.5.8 which relates to extensions to dwellings.

Residential Amenity and Visual Impact

Front Extension

The single storey front extension would have a mono-pitched roof and would provide for an open porch and extension of the living room. The total depth of the extension would be 1.25m. This is considered to be acceptable.

Rear Extension

The rear extension would have a flat roof with parapet, with a parapet height above ground of 3.5 metres. The total depth of the rear extension would be 4.71m, and it would extend to the full width of the existing house.

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Due to the combination of its parapet height and depth, I am concerned that the proposed development would have a detrimental impact in terms of overshadowing, loss of daylight and loss of aspect to the adjoining house to the north, No. 38. This can be resolved by way of a lower parapet height, use of a pitched roof, or reduction in the depth of the extension (the depth of the extension is not considered to be excessive by and of itself, however). A lower parapet height, or a softer roof profile (such as a rear-facing gable pitched roof), can be agreed **by condition**.

Ancillary Residential Building and Home Office

The proposed use of the ancillary building as a garden room is acceptable in general; however, as side access exists it is important to ensure that the site is not subdivided for residential development. An appropriate condition can be attached and, furthermore, the W/C should be omitted from the ancillary building. This can be achieved by **condition**.

Private Open Space

The rear garden would be reduced in size to approximately 30sqm as a result of the rear extension. It is noted that the rear extension and garden shed together have a floor area of 37.4sqm; such structures could therefore be delivered as exempted development. The reduction of the private garden area is reversible in cases where the property is not subdivided. The reduction in the garden space in this instance is considered to be acceptable.

Green Infrastructure and Open Space

The Public Realm Department has not provided a comment on green infrastructure. The proposed rear garden is indicated to continue to be grassed, although part of it would be terraced. A condition can be attached to agree any necessary SUDs measures.

Water and Drainage Services

No reply has been received from the Water Services section. Standard conditions should be imposed.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is in an established residential area. The development comprises retention of extensions and attic/garage conversions.

Having regard to:

- the small residential scale of the development,
- the location of the development in an established urban area, and
- the consequent absence of a pathway to the European site,

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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.

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 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.

Other Considerations

Development Contributions

Existing Extensions:

- | | |
|------------------------------|----------|
| - Shed (non-habitable store) | 16.5 sqm |
| - None other. | |

Proposed extensions (measured from drawings):

- | | |
|------------------------------------|-----------|
| • Shed (conversion to garden room) | 16.5 sq.m |
| • Front Extension | 3.5 sq.m |
| • Rear extension: | 18.2 sq.m |
| • Total Extensions/Conversions: | 38.2 sq.m |

Having regard to 40sq.m. allowance for residential extensions, the Assessable Area is **Nil**.

SEA Monitoring Information

Building Use Type Proposed:	Residential extension
Floor Area (Sq.m.):	38.2
Land Type:	Brownfield / Urban Consolidation
Site Area (Ha.):	0.1982

Conclusion

The proposed development would not be seriously injurious to the residential amenities of the area, subject to the conditions attached herewith, which contain modifications to some elements of the development. The development would be consistent with the 'RES' land-use zoning objective, the South Dublin County Development Plan 2016 – 2022, and the proper planning and sustainable development of the area.

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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 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. 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 a lower parapet height, or a softer roof profile (such as a rear-facing gable pitched roof), for the rear extension, to lessen the impact on the adjoining rear window at No. 38.
REASON: To protect residential amenity and to prevent detrimental loss of daylight, sunlight and aspect.
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.

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REASON: To prevent unauthorised development.

(c) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

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

(d) Minimise Air Blown Dust.

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

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

(e) Construction Noise and Hours.

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

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In 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

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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. Sustainable Urban Drainage Systems (SuDS) and Landscaping

The applicant has not proposed any SuDS (Sustainable Drainage Systems) features. Prior to the commencement of development, the applicant shall submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development, for the written agreement of the Planning Authority. The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following: Rain Gardens , Planter boxes with overflow connection to the public surface water sewer.

- Permeable Paving
- Grasscrete
- Green Roofs
- Rain gardens
- SwalesPermeable Paving
- GrasscreteChannel
- Rills
- Planter Boxes
- Water Butts
- Other such SuDS

The applicant should reference the SDCC Householder's Guide to Sustainable Drainage (SUDS) prior to submission. This guide can be found at:

<https://www.sdcc.ie/en/services/planning/planning-applications/water-and-drainage-considerations/sdcc-householders-guide-to-sustainable-drainage-suds-.pdf>

REASON: To promote provision of SuDS

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

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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.

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REG. REF. SD22B/0286

LOCATION: 39, Chestnut Grove, Kingswood, Dublin 24, D24 P6CK

jjohnston

**Jim Johnston,
Senior Executive Planner**

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

Date:

16/8/22



Eoin Burke, Senior Planner