

Comhairle Chontae Atha Cliath Theas

PR/1065/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0237 **Application Date:** 26-May-2022
Submission Type: Additional **Registration Date:** 22-Jul-2022
Information

Correspondence Name and Address: Kelliher Miller Architects 10, Blessington Court,
Dublin 7

Proposed Development: Single storey extension to rear and side, alterations to
existing elevations including any associated site
works to existing semi detached dwelling.

Location: 41, Priory Way, Dublin 12

Applicant Name: John Byrne

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.0297 hectares.

Site Description:

The application site contains a two storey, semi-detached house, located on Priory Way in a row of similar dwellings. The site has a wide frontage onto a large communal green and the rear garden tapers to an acute angle given the corner location of the dwelling. The surrounding area is residential in nature.

Proposal:

Permission is sought for the following:

- Single storey side and rear extension (36.4 sq.m)

Zoning:

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

Consultations:

Water Services – No report received at time of writing (12.07.22)

Irish Water – No report received at time of writing (12.07.22)

SEA Sensitivity Screening

SEA monitoring indicates overlap with SFRA A 2016 and SFRA B 2016

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Submissions/Observations /Representations

Submission expiry date – 29 June 2022

No submissions or observations received.

Relevant Planning History

None recorded for subject site.

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 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*

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).*

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

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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 comprises a single storey side and rear extension and associated elevational changes and site works, including additional roof lights. Internal works are also noted but these would not result in a material alteration to the external appearance of the dwelling and there is no objection to these works. No other changes are noted from drawings.

Side and Rear Extension

The extension would provide a continuation of the front building line by 3.85m and would extend the full depth of the property, providing an angled extension into the rear garden. The extension would comprise 2 rooms, a study to the front and kitchen/dining extension to the rear. A feature wrap around window would be located on the northeastern corner of the front elevation, with an additional full height window on the side elevation. These windows are considered acceptable and would provide passive surveillance over the communal green area to the south and east.

The extension would have a flat roof with metal capping and a render finish, with select brick as a feature on elevations. There would be a large rooflight over the kitchen extension, with a side access door and large glazed sliding doors to the rear.

It is noted that the property has significant amenity space to the front, however, has a small triangular area of private open space to the back, totalling no more than approximately 20 sq.m. The Development Plan states that *'open space should be located behind the front building line of the house and be designed to provide for adequate private amenity'* [emphasis added]. In this regard, when assessing the private open space provision for the dwelling, the front garden is not included. The private open space associated with the dwelling, if the works were to be undertaken, would be approximately 12.4 sq.m to the rear and a second triangular area of approximately 12.3 sq.m to the side, totalling 24.7 sq.m). This is just below the 25 sq.m that must be maintained to the rear of a dwelling under exempt development. The useability of the space is also a key consideration. Reducing the triangular rear garden is not considered appropriate, given the existing constrained nature of the space. The 12.3 sq.m area that would be maintained to the side is not considered to provide a sufficient level of amenity value to allow a reduction of the rear garden. On this basis, these areas are not considered to provide a sufficient level of private open space and any reduction in the existing rear open space provision would be considered completely unacceptable.

The applicant should be requested to submit **additional information** comprising revised floor plans and elevations, removing the angled element of the rear extension, and providing a uniform

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rear building line to ensure the existing level of rear amenity space is maintained. It is noted that the existing rear garden does not provide 25 sq.m however, as this is the existing situation this is considered acceptable, any further reduction would not be considered appropriate.

Other Alterations

Additional rooflights would be located on the rear roof slope serving the kitchen and stairs. These are considered acceptable.

Services, Drainage and the Environment

Water Services have not provided consultation on the development. It is considered appropriate to include a **condition** in the event of a grant of permission requiring all water, wastewater and SuDS arrangements to be agreed in writing with the Planning Department prior to the commencement of development.

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

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development proposed it is considered that, in order to comply with relevant policies and objectives, that additional information should be sought as follows:

- Revised plans and elevations amending the rear element of the extension to maximise the amount of rear garden retained.

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Recommendation

Request Further Information.

Further Information

Further Information was requested on 18/07/22

Further Information was received on 22/07/22

Consultations

No reports required.

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

Given the size, shape and orientation of the existing rear garden, the Planning Authority would have a concern about the useability and amenity enjoyed by this space if it were to be reduced. The applicant is requested to revise the proposals for the rear element of the extension, ensuring no extension would break the rear building line of the existing dwelling to maximise the amount of rear amenity space retained. The applicant is requested to submit revised floor plans, elevations and sections as relevant showing the necessary alterations. In amending the proposal, the applicant should note the new South Dublin County Development Plan 2022 - 2028 will come into effect on August 3rd 2022 and any decisions made after this date will be based on the policies and objectives contained within this Plan.

Assessment

The applicant has submitted drawings as requested and a letter from the agent date stamped 22nd July 2022.

The applicant has revised the proposal to ensure minimal impact to the quantum of rear open space provided to the dwelling. A small pop-out window seat will reduce the rear garden area by a negligible amount, and this is considered acceptable. The extension has been altered to infill the triangular garden area that had been retained to the side, providing a utility room with a door on the front elevation and a rooflight on the flat roof. While the Planning Authority would not generally support the provision of 2 no. accesses on a front elevation, given the setback from the front building line (approximately 5m), and the separation distance from the original front door, this secondary access is considered acceptable as it would not be confused for a main access. In this regard, the revised proposals are considered acceptable.

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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 relating to house extensions are complied with where relevant.

Green Infrastructure

The subject site appears to be located within a Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028). From a site visit it appears that some vegetation will be lost however, there will be a limited increase in the level of hardstanding as the areas subject to extension are already predominantly paved, with the exception of a small area of grassland to the front.

SuDS measures have not been indicated on the site layout plan. A **condition** should be included in the event of a grant requiring the applicant to obtain the written agreement of the Planning Authority for SuDS measures at the site prior to the commencement of development.

Conclusion

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

Development Contributions

Development Contributions

No existing extensions

Proposed ground floor extension: 36.4 sq.m

Assessable area: Nil

SEA Monitoring Information

Building Use Type Proposed: Residential Extension

Floor Area: 36.4 sq.m

Land Type: Urban Consolidation

Site Area: 0.0297 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 22 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. (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.

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(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 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

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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.

3. **Drainage and Sustainable Urban Drainage Systems**

All water, wastewater and SuDS arrangements shall be agreed in writing with the Planning Department prior to the commencement of development.

REASON: To ensure the adequate consideration and provision of SuDS and water services

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/0237
LOCATION: 41, Priory Way, Dublin 12**



**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: 18/8/22



Eoin Burke, Senior Planner