PR/1106/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: Submission Type:	SD22B/0319 New Application	Application Date: Registration Date:	04-Jul-2022 04-Jul-2022
Correspondence Name and Address:		Tara Miller, Kelliher Miller Architects Kelliher Miller Archirects, 10, Blessington Court, Dublin 7, D07KR61	
Proposed Development:		Partial demolition to existing structure with new single storey extension to front and rear, two storey extension to front and side with alternations to existing window opes and to existing roof including raised ridge height. New rooflight at first floor to rear, new solar panels to main roof to rear 9west) and side (west). New storage shed to side, widening of 2 no. existing vehicular entrances to the front, including all ancillary site works to an existing two storey detached dwelling at 82 Pinewood Park, Rathfarnham, Dublin 14, D14 K602.	
Location:		82, Pinewood Park, F D14K602	Rathfarnham, Dublin 14,
Applicant Name:		Ronan Feely and Nia	mh Murphy
Application Type:		Permission	

(NM)

Description of Site and Surroundings:

Stated as 0.076 Hectares.

Site Visit

15/08/2022

Site Description

The site contains a detached 2 storey dwelling with a hip pitched roof. The area is characterised by units of similar architectural design with a relatively uniform building line in a residential area.

PR/1106/22

Record of Executive Business and Chief Executive's Order

Proposal:

The development will consist of:

- Partial demolition to existing structure with new single storey extension to front and rear,
- Two storey extension to front and side with alternations to existing window opes and to existing roof including raised ridge height.
- New rooflight at first floor to rear, new solar panels to main roof to rear (west) and side (west).
- New storage shed to side,
- Widening of 2 no. existing vehicular entrances to the front, including all ancillary site works
- Total area of works is 69.1sqm for extension to existing dwelling and 19.2sqm for the shed.

Zoning:

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

Consultations:

Irish Water - No report received *Water Services* – No report received

Roads Department – No objections.

Parks Department – No objections subject to conditions.

SEA Sensitivity Screening

No overlap with relevant layers.

Submissions/Observations /Representations

There was one submission received in regard to the proposed development which has been reflected in this report and can be summarised as follows:

- On the plans submitted, the house to the right 26 Butterfield Close, the landing window is shown as being positioned higher than the bedroom to its left. The landing window on that property is significantly lower than the bedroom to the left. The storage shed could have an affect on the light to 26 Butterfield Close.

Relevant Planning History

Subject Property None

Adjacent sites:

SD22B/0142 - 53 Butterfield Close, Rathfarnham, Dublin 14 – **Grant Permission** for Demolition of existing single storey extension to rear and side garage. Construction of a 2 storey

PR/1106/22

Record of Executive Business and Chief Executive's Order

extension at front and side creating an additional bedroom with ensuite. A single storey extension to the rear with Velux roof lights increasing floor area to the kitchen and dining room. Conversion of the existing attic with 2 Velux windows and dormer window. All associated landscaping, site development works and drainage

SD18B/0169 - 55, Butterfield Close, Rathfarnham, Dublin 14 - **Grant Permission** for Two storey side extension and single storey front and rear extensions, internal alteration and a widening of the front driveway entrance.

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

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

6.8.2 Residential Extensions

Policy H14: Residential Extensions 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).

Policy GI1: Overarching

GII 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.

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.

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.

PR/1106/22

Record of Executive Business and Chief Executive's Order

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

Side Extensions

- Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.
- Leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.
- Do not incorporate blank gable walls where extensions face onto public foot1paths and roads.
- The use of a 'false' roof to hide a flat roofed extension is rarely successful, particularly if visible from the side.

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.

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 maintain a minimum driveway length of 6m.*
- Avoid extensions that are dominant or overlarge in relation to the scale and appearance of the 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.

Overlooking and loss of privacy

- Where a new window could result in overlooking or loss of privacy to neighbouring properties, consider alternative design solutions (but always ensure the design complies with necessary fire regulations)
- reposition the window so it is not facing directly into a window in the adjoining property,
- insert a high-level window with a sill level of 1.7m or higher above the internal floor level of the room,
- use angled windows with directional views

PR/1106/22

Record of Executive Business and Chief Executive's Order

• *if the window is at ground floor level, provide a fence or wall to screen it.*

Relevant Government Guidelines

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

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 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 are

- Zoning and Council policy,
- Residential and Visual amenity
- Drainage
- Roads
- Parks
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

A development comprising of a part single storey and part two storey front extension, single storey rear extension, widening vehicular entrances, new shed, solar panels and raising the ridge height of the existing roof would be consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan **2022-2028** and the House Extension Design Guide.

Residential and Visual Amenity

Residential

The proposed application consists of changing the use of the existing garage to residential use and extending it past the existing building line by approximately 1m which is considered acceptable.

The existing attached garage is flat roofed, and it is intended that the first floor is extended out to mirror the ground floor area which would not lead to any additional overlooking which is acceptable. The first-floor extension will require a cross hip pitched roof and would have a ridge height of approximately 6.2m which is in line with the height of the existing roof and other

PR/1106/22

Record of Executive Business and Chief Executive's Order

dwellings in the area and would not lead to unacceptable levels of overshadowing of dwellings in the immediate vicinity and is therefore appropriate. It is proposed that there will be a 2m high boundary wall to the north with a door providing access to the rear which is acceptable.

There is a detached storage building/shed proposed at the northern gable end of the property comprising of two storage areas and a bike shed which is 3.4m wide to the front, narrowing to approximately 1.45m to the rear which follows the shape of the site and leaves approximately 1m to the boundary wall with the adjacent dwelling to the north which is appropriate. The subject site slopes from west to east and the median height to the top of parapet is 2.8m with 2.95m height to the front reducing to 2.6m to the rear. The submission received regarding the height of the neighbouring gable wall window and the potential for overshadowing is noted. There is a substantial difference in levels with the **application site sitting approximately 550mm above the adjacent property to the north**, but the window is at first floor level and the height of the proposed shed would not lead to overshadowing nor would it seriously injure the residential amenity of the area.

It is proposed that there is an L-shaped single storey extension to the rear of the property with a maximum depth of 7.3m from the rear wall of the existing dwelling. The depth of the existing dwelling is approximately 8.6m and the proposed extension would not appear subservient to the main dwelling but in the context of the site overall, is acceptable as there is a large rear garden with approximately 27.5m to the rear boundary wall. Again, the slope of the site results in the height of the proposed rear extension varying from 3.7m to 4.1m which is considered acceptable, particularly as it would be set back some 3m from the northern site boundary.

There is a first-floor window on the southern gable wall which is marked as opaque which is appropriate. There are PV panels measuring 16.25m positioned on the slope of the roof at the southern and western elevations which would take advantage of the highest levels of sunlight.

Overall, the proposed development would not seriously injure the residential amenity of the area subject to conditions.

Visual

The protrusion of the ground and first floor extension past the established building line is not the norm in this row of dwellings. Nevertheless, it would be visually acceptable. The proposed materials match that of the existing dwelling and the roof treatment is sensitive to the architectural characteristics of the area. The top of the parapet roof of the shed to the north will only be partially visible from the street but would not be visually injurious. The PV panels and proposed roof light are acceptable as is the removal of the existing chimney stack. The proposed changes in the rear windows are minimal and are considered appropriate.

Overall, the proposed development is visually acceptable.

PR/1106/22

Record of Executive Business and Chief Executive's Order

Drainage

No report was received from Water Services or Irish Water at the time of writing, but it is considered appropriate that **conditions** should apply in the event of a grant of permission. Irish Water maps indicate that the proposed development would not be located within an unacceptable distance of any existing Irish Water infrastructure.

Roads

The roads department have no objections to the proposed development.

The parking area to the front (west) where the proposed development is extended is 5.8m which is not consistent with the House Extension Design Guide, notwithstanding this, there is sufficient parking space for two cars to the north of the site which is acceptable. There are two vehicular entrances to the site, and it is proposed that both are widened to 3.5m which is consistent with the County Development Plan (CDP). However, there is one on street parking site outside the site. This should be maintained. Any widening of the two entrances should ensure that some 4.8m is maintained between the entrances to retain the on street car space. This can be **conditioned.**

Parks

The Public Realm Section have no objections to the proposed development subject to **conditions**. The following was received:

1. <u>Sustainable Drainage System (SuDS)</u>

The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant shall submit a drawing in plan and crosssectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Sample SuDs devices include green roofs, water butts, tree pits, rain gardens, filter strips and permeable paving amongst others. The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance. REASON: To prevent the increased risk of flooding and to improve and protect water quality.

2. <u>Protection of Street Trees in Grass Margins</u>

The applicant is to ensure the protection of the existing street tree to be retained through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works pertaining to retention of the gate. Commencement of development should not be permitted without adequate protective fencing being in place. This fencing, enclosing the tree protection area must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas indicated on plan.

PR/1106/22

Record of Executive Business and Chief Executive's Order

Reason: In order to ensure adequate protection for the street trees in the adjoining grass margin during the construction of development, and in the interests of the visual amenity of the area.

As no report was received from Water Services, it is considered appropriate that Condition 1 is attached in the event of a grant of permission. Condition 2 is also considered appropriate given the close proximity of the street tree to the proposed development.

Green Infrastructure

The subject application provides for a relatively small increase in the footprint of the subject house on an established suburban residential site. The site is not located within a Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028). It is noted that the application includes for SuDS measures in the form of a soakaway.

Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required but a full assessment of the Sustainable urban Drainage Systems is required as was noted by the Public Realm Section.

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 part single storey and part two storey front extension, single storey rear extension, widening vehicular entrances, new shed, solar panels and raising the ridge height of the existing roof. 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 (EIAR)

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

PR/1106/22

Record of Executive Business and Chief Executive's Order

Development Contributions

Development Contributions Assessment Overall Quantum

Proposed Habitable Extension:	69.1sqm
Proposed Shed:	19.2sqm
Previous Extension:	0sqm
Assessable Area:	29.1sqm

SEA Monitoring Information

Building Use Type Proposed:	
Floor Area:	69.1sqm
Land Type: Urban Consolidation.	
Site Area:	0.076Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Development Plan 2022 - 2028 and the overall design and scale of the development proposed it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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.

a)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

PR/1106/22

Record of Executive Business and Chief Executive's Order

required by the other conditions attached hereto.

b) A minimum distance of 4.8m shall be maintained between the widened entrances. Prior to the commencement of development revised drawings shall be submitted accordingly to ensure the maintainance of an existing on street car parking space.

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.

(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

PR/1106/22

Record of Executive Business and Chief Executive's Order

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.

3. Sustainable Urban Drainage Systems

The applicant has not proposed any SuDS (Sustainable Drainage Systems) features. Prior to the commencement of development, the applicant shall submit the following:

a) 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
- Swales
- Permeable Paving

PR/1106/22

Record of Executive Business and Chief Executive's Order

- Grasscrete
- Channel Rills
- Planter Boxes
- Water Butts
- Other such SuDS
- b) A summary, in a digital format, quantifying and detailing the following:
- tree and hedgerow removal;
- tree and hedgerow retention;
- new tree and hedgerow planting.

The applicant should reference the SDCC Sustainable Drainage Explanatory Design & Evaluation Guide prior to submission.

REASON: To ensure the adequate provision of SuDS

4. Gates.

No gate to be installed or erected shall be capable of opening across any public footpath, cycle-track, roadway or right of way, and any front entrance pillars shall be a maximum height of 1.2m.

REASON: In the interests of visual amenity and pedestrian safety.

5. Street Tree Protection

The applicant shall ensure the protection of the existing street tree to be retained through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works pertaining to widening of the entrance gates. Commencement of development shall not be permitted without adequate protective fencing being in place. This fencing, enclosing the tree protection area shall be installed prior to any plant, vehicle or machinery access on site. Fencing shall be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage shall be permitted within the fenced tree protection areas indicated on plan.

REASON: In order to ensure adequate protection for the street trees in the adjoining grass margin during the construction of development, and in the interests of the visual amenity of the area.

6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of $\notin 3,040.66$ (three thousand and forty euros and sixty six 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

PR/1106/22

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.

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.

PR/1106/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0319 LOCATION: 82, Pinewood Park, Rathfarnham, Dublin 14, D14K602

uire, **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: _____29/08/2022

Colm. Haste Colm Harte,

Colm Harte, Senior Executive Planner