

Comhairle Chontae Atha Cliath Theas

PR/1127/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0228 **Application Date:** 20-May-2022
Submission Type: Additional **Registration Date:** 09-Aug-2022
Information

Correspondence Name and Address: PDC Architectural 12A, Churchfields, Kentstown, Co. Meath.

Proposed Development: Ground floor extension to rear, new porch area to front, dormer extension to rear at first floor level, first floor gable window at side, 2 roof windows to front elevation, internal modifications, 30m2 storage/office space to rear with all associated site works.

Location: 39, Dalepark Road, Oldbawn, Tallaght, Dublin 24

Applicant Name: Mbaaga Tuzinde

Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Area: as stated 0.00284Hectares.

Site Description:

The site contains a single storey semi-detached house with pitched roof in the Dalepark estate in Old Bawn in Tallaght. The existing dwelling is located along a street characterised by dwellings of a similar form and appearance. The rear of the property faces onto GAA club grounds to the south. It is noted that there is a street tree on the grass verge outside the front boundary of the site.

Proposal:

- Ground floor extension to rear,
- new porch area to front,
- dormer extension to rear at first floor level,
- first floor gable window at side, 2 roof windows to front elevation, internal modifications,
- 30m2 storage/office space to rear with all associated site works.

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Zoning:

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

Consultations:

Surface Water Drainage – No report received, subject to conditions.
Irish Water – No report received, subject to conditions.
Roads – No objections subject to conditions.
Public Realm – No objections subject to conditions.

SEA Sensitivity Screening - No overlap indicated.

Submissions/Observations /Representations

No submissions received.

Relevant Planning History

None relevant to subject site.

Adjacent sites:

SD20B/0183- **Grant Permission** - Construction of a dormer extension to rear at first floor level of existing house; new first floor gable window at side; 2 'Velux' windows to front elevation and all associated site development works; Retention for widening of front vehicular entrance.

SD05B/0254 - 61, Dalepark Road, Aylesbury, Tallaght, Dublin 24. **Grant Permission** - Rear dormer extension, attic conversion with 2 no. Velux rooflights to front elevation and new first floor gable window at side.

Relevant Enforcement History

None on record.

Pre-Planning Consultation

None on record.

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

Section 2.4.1 Residential Extensions

Policy H17 – Residential Consolidation:

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H17 Objective 1: To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

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.

Policy H18 Objective 2:

- To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

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

Rear Extensions:

- *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.*

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).

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

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Assessment

The main issues for assessment relate to:

- Zoning and Council policy
- Residential and visual amenity
- Service water and drainage
- Access and parking
- Screening for appropriate assessment
- Environmental impact assessment

Zoning and Council Policy

The development comprising a front, side and rear extension is consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan 2016-2022 and the House Extension Design Guide.

Residential & Visual Amenity

Front Extension

The proposal has a 1m projection to the north elevation via a pitched roof canopy and is harmonious in style and form. The proposal is consistent with the guidance in Section 4 'Front Extensions' of the South Dublin County Council House Extension Design Guide (2010).

Rear Extension

The proposed single-storey, hipped-roofed rear extension projects 4.5m from the rear building line. It would be located approx. 2.2m from the western boundary with No. 41 Dalepark Road. It would be located adjacent to the eastern boundary wall with the neighbouring property east of site No. 37 Dalepark Road. The proposal is considered seamless in scale, size and context to the main dwelling and not injurious to the adjacent properties' amenities at 3.7m in ridge height. A new south-facing window is considered acceptable. No undue issues of overshadowing are envisaged.

It is noted that a clear and transparent site layout plan was not submitted. However, regarding the stated 0.00284Hectares site, it is deemed that the moderate-sized 26.32 sq.m rear extension shall not negatively impact the open space requirement for the house. It is considered that the proposal will provide sufficient residential amenities for future occupants, consistent with the Development Plan provisions.

The proposal reflects the character, design, and fenestration of the existing house and is considered to integrate cohesively with the visual and residential amenities of the area. The proposal shall cause no overbearing impact or overshadowing to the neighbouring properties at this location and is consistent with the guidance set out in Section 4 'Rear Extensions' of the South Dublin County Council House Extension Design Guide (2010)

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Rear Dormer Window

The rear dormer window is considered significant at 7.8m in width; however, the proposal is balanced and centrally placed on the rear roof. The two windows reflect the existing rear windows. The rear dormer window is below the ridgeline of the existing dwelling, built three tile courses above the eaves of the dwelling, contemporary in style to match the rear extension and complies with the South Dublin County Council House Extension Design Guide (2010). It is also noted that No. 61, Dalepark Road, Aylesbury to the west of the site was granted Permission for a similar large rear dormer extension, attic conversion.

The proposed development provides for the conversion of the existing attic into an home office and playroom. No section of this floor level has been submitted. This should be requested via **Additional Information**. Depending on the floor to ceiling height of this floor level a **note** should be attached in the event of a grant of permission stating that in order to use the attic for habitable space it must comply with the Building Regulations.

Storage/office Shed to rear

The Planning Authority notes that an existing shed already exists in the rear garden to the rear boundary of the site and considered that the submitted drawings for the rear storage/office lack details on the impact on the existing rear amenity space. The submitted elevational/contiguous drawings also do not detail the impact of the proposed shed with No. 7 Pairc Gleann Trasna, Aylesbury, to the south of the site and with Nos. 37 and 41 Dalepark Road to the east and west of the site.

In the absence of accurate and sufficient information such as 'contiguous elevations' and 'sections' that accurately detail the existing and proposed rear garden and the impact of the adjoining properties, a full assessment cannot be carried out. The Planning Authority considers that the applicant has not substantially demonstrated that the proposed development would not adversely impact residential amenity and/or the visual amenity of the area. A full suite of contiguous and sectional drawings shall be requested by **Additional Information** with views from north to south and east to west to clarify if the development would be consistent with the Residential zoning objective, the policies of the current South Dublin County Council Development Plan 2016 - 2022 and the area's proper planning and sustainable development.

Other alterations

The window on the new ensuite (eastern elevation) should be made opaque given the dwelling is set forward of No. 37. This can be addressed by way of **condition**.

Services & Drainage

No drainage report was submitted however standard conditions will attached for the development in the event of a grant of permission. It is noted there are no pipes in the vicinity of the proposed development.

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Public Realm have reviewed the proposed development and have no objection subject to a condition that SuDS (Sustainable Drainage Systems) features are included. This should be included in the event of a grant of permission.

No report was issued from Irish Water, standard conditions will apply.

Access and Parking

No changes to access proposed. The porch would leave sufficient space to park a car onsite (setback approx. 6.5m from front boundary). The Roads Department have reviewed the proposed development and have no objection subject to a condition that vehicles exit the site in a forward direction. This report is noted, however, it is not considered that this condition is enforceable and should therefore not be attached to a grant of permission.

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 rear extension, dormer window and detached structure.

Having regard to:

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

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

Environmental Impact Assessment

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.

Development Contributions

Development Contributions Assessment Overall Quantum

Proposed Rear Extension:	26.32 sq.m
Attic (non-habitable):	34.31 sq.m
Shed:	30.00 sq.m
No previous extensions	
Assessable Area:	Nil

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SEA Monitoring Information

Building Use Type Proposed:	Residential
Floor Area:	90.63sq.m
Land Type:	Urban Consolidation.
Site Area:	0.00284Hectares.

Conclusion

Due to existing permissions for similar type development, the location of the proposed development, the overall design and scale of the development proposed it is considered that, subject to a satisfactory response to the **Additional Information** request, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, in this instance, be in accordance with the proper planning and sustainable development of the area.

Recommendation

Further Information

Further Information was requested on 13th July 2022
Further Information was received on 09th August 2022

Consultations:

None Requested.

Submissions/Observations

None received for this application.

The Further Information requested is as follows:

1. The Planning Authority considers that the applicant has not demonstrated fully the proposed rear shed will not adversely impact the residential amenity of neighbouring properties in the area. In this regard, the applicant is requested to submit a full site layout plan with a suite of contiguous and sectional drawings (looking north to south and east to west), which indicate the subject shed proposal with the adjoining properties. In addition, the revised plans shall also outline the entire context of the rear garden, including any other structures on the subject site and detail the quantum of rear amenity space remaining following the development.
2. The applicant is requested to submit a section showing the floor to ceiling height of the attic.

Item 1

The Planning Authority considers that the applicant has not demonstrated fully the proposed rear shed will not adversely impact the residential amenity of neighbouring properties in the area. In this regard, the applicant is requested to submit a full site layout plan with a suite of contiguous and sectional drawings (looking north to south and east to west), which indicate the subject shed

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proposal with the adjoining properties. In addition, the revised plans shall also outline the entire context of the rear garden, including any other structures on the subject site and detail the quantum of rear amenity space remaining following the development.

Assessment

The applicant has submitted a cover letter and drawings from *PDC Architectural* dated the *25th of July 2022*.

In response to the AI request, the applicant has submitted drawings titled 'Conversion of Attic Area and extension to rear' Dwg Ref PA-000006 and 'Proposed Site Layout / Contiguous drawings' PA-000005.

The applicant has now demonstrated the proposal in the context of the subject dwelling on-site and with surrounding dwellings and structures. The applicant has clearly demonstrated the proposal in full site context with north-southerly and east-westerly section views of the proposal with the surrounding dwellings. The proposal outlines within that the 50 sq.m amenity space is sufficient and that the rear shed structure does not have a negative impact or is deemed overbearing with the revised drawings.

The proposal complies with the guidance in the existing Development Plan provisions and the 'House Extension Design Guide 2010'. It would not negatively impact the amenity of the surrounding area to the north, east and south. The shed size is considered larger at 30 sq.m and 3m in height however in this instance and having regard to the shed location; the shed shall not have an overbearing impact on neighbouring properties, the design and visual impact of this structure is considered acceptable.

Item 2

The applicant is requested to submit a section showing the floor to ceiling height of the attic.

Assessment

The applicant has indicated the floor to ceiling height of the attic on the resubmitted drawings titled '*Proposed Sectional Elevational B-B*' Dwg Ref PA-000006.

It is noted that 2.4m is the maximum height as outlined in Part F of the building regulations and a **note** shall attach that in order for the attic to be used as habitable it is required to comply with building regulations. The submitted drawing Dwg Ref PA-000006 deems that the height falls slightly short.

However, the external proposal complies with the guidance set out in the 'House Extension Design Guide 2010' and would be in keeping with the surrounding area's character and would accord visually at this location. Therefore, the proposal is considered acceptable.

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Green Infrastructure

The proposal is not overlapping with a Primary GI Corridor and incorporating GI as an integral part of the design and layout concept for the rear extension is not considered feasible for the subject proposal.

In this context, the applicant has provided a report demonstrating that the proposed development is in accordance with the South Dublin County Development Plan 2022-2028 and the House Extension Design Guide, 2010 (or any superseding guidelines).

Public Realm have reviewed the proposed development and have no objection subject to a condition that SuDS (Sustainable Drainage Systems) features are included. This should be included in the event of a grant of permission.

Conclusion

The Planning Authority considers that the proposal is now consistent with the requirements of the County Development Plan 2022-2028 or the guidance set out in the South Dublin County Council House Extension Design Guide (2010) in respect of attic conversion, dormer window and change of roof profile and side /rear extensions. Therefore, the proposed design is deemed to be acceptable. Accordingly, a grant of planning permission is recommended.

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 an attic conversion, dormer window and change of roof profile and rear extension with storage/office space.

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.

Development Contributions

Development Contributions Assessment Overall Quantum

Proposed Rear Extension:	26.32 sq.m
Attic (non-habitable):	34.31 sq.m
Shed:	30.00 sq.m
No previous extensions	
Assessable Area:	Nil

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SEA Monitoring Information

Building Use Type Proposed:	Residential
Floor Area:	90.63sq.m
Land Type:	Urban Consolidation.
Site Area:	0.00284Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, in this instance, 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 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 09/08/2022, 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.

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(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 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

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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. (a) The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section.
- (b) The applicant shall include water butts as part of Sustainable Drainage Systems (SuDS) for the development.
- (c) 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, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision

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

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REG. REF. SD22B/0228

LOCATION: 39, Dalepark Road, Oldbawn, Tallaght, Dublin 24

Colm Harte

Colm Harte,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission 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: _____

5/9/22

Eoin Burke

Eoin Burke, Senior Planner