

Comhairle Chontae Atha Cliath Theas

PR/1135/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0327 **Application Date:** 15-Jul-2022
Submission Type: New Application **Registration Date:** 15-Jul-2022
Correspondence Name and Address: Peter Brennan Hayfield House, Knocklyon Road,
Dublin 16
Proposed Development: Ground floor extension to the rear, side and front to
widen the vehicular entrance; first floor landing
window; internal reconfiguration and all ancillary
works necessary to facilitate the development.
Location: 14, Hillsbrook Drive, Dublin 12
Applicant Name: David Griffin & Tara Harkness
Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: as stated 0.241 Hectares.

Site Description:

The site is located within an existing residential estate and contains a two-storey, semi-detached dwelling with pitched roof profile. The subject site is splayed in design and tapers to the rear (west). There is a street tree located on the grass verge to the front of the property. The streetscape is characterised mainly by other semi-detached houses of similar form and appearance with a mainly staggered building line.

Proposal:

The proposed development consists of the following:

- Single storey extension to side, front and rear.
- Widening of existing vehicular entrance from c.2.6m to 3.5m.
- Insertion of new landing window at first floor level on side gable (south).
- Proposed works measure 46sq.m.

Zoning:

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

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Consultations:

Surface Water Drainage – No report received to date.

Irish Water – No report received to date.

Roads Section – No objections subject to **conditions**.

Parks Department – Grant with **conditions**.

SEA Sensitivity Screening

No overlap with relevant environmental layers.

Submissions/Observations /Representations

None.

Relevant Planning History

None for subject site.

Adjacent sites

SD21B/0512: 31, Hillsbrook Drive, Dublin 12.

First floor extension over existing garage to side; single storey extension to front; covered porch canopy over main entrance; all associated site works.

Decision: **GRANT PERMISSION.**

SD08B/0031: 18, Dangan Park, Kimmage Road West, Dublin 12.

(a) Single storey extension to the side and rear of the existing house; (b) conversion of the attic space for habitable use and the addition of a new attic window to the rear of the roof space; (c) replacement of the existing windows to the front of the house with new double glazed PVC units; (d) widening of the existing vehicular entrance.

Decision: **GRANT PERMISSION.**

SD06B/0243: 33, Hillsbrook Drive, Dublin 12.

Demolition of existing single storey kitchen and garage to side of 2 storey semi-detached dwelling and construction of new single storey extension to front, side and rear, consisting of new entrance porch and bedroom with en-suite, kitchen, dining room and living room.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Section 6.8.2 Residential Extensions

Policy H14 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 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 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 12.5.3 Density and Building Heights

Section 12.6 Housing – Residential Development

Section 12.6.8 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.

Section 12.6.7 Residential Standards

Section 6.7.5 Privacy and Security

Section 6.7.4 Internal Residential Accommodation

Section 12.10.1 Energy Performance in New Buildings

Section 12.3.2 Appropriate Assessment

Section 12.3.3 Environmental Impact Assessment

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

Attic conversions and dormer windows:

- Locate dormer windows as far back as possible from the eaves line (at least three tile courses).
- In the case of a dormer window extension to a hipped roof, ensure it sits below the ridgelines of the existing roof and matches the materials used in the main house.
- Relate dormer windows to the windows and doors below in alignment, proportion, and character.

Overlooking and loss of privacy:

- Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.

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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.

Assessment

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and Visual Amenity,
- Access & Parking,
- Parks & Landscaping,
- Services and Drainage,
- Screening for Appropriate Assessment (AA),
- Screening for Environmental Impact Assessment (EIAR),

Zoning and Council Policy

The extension of a residential dwelling is consistent in principle with zoning objective 'RES', subject to compliance with the provisions of the South Dublin County Council House Extension Design Guide (2010), and the relevant detailed policies in the County Development Plan 2022-2028, which will be assessed below.

Residential & Visual Amenity

Single storey front extension

The extension **will project outwards from the main front building line by c.1.8m** and will span a width of c.9.734m. The extension will be slightly offset (0.05m) from the boundary with the immediate neighbour to the north and will be offset by c.2.777m from the boundary with the immediate neighbour to the south. To comply with the SDCC House Extension Design Guide 2010 the depth of the projection outwards from the main front building line **should be limited to a maximum projection of 1.5m**. It is considered this may be addressed by way of **condition** in the event of a grant.

It is noted that the existing driveway length measures c.6.6m and the proposed driveway length will measure c.4.8m. With the depth of projection reduced to 1.5m the actual driveway length will be c.5.146m. Section 4 (Front Extension & Outside Space) of the SDCC House Extension Design Guide 2010 states that front extensions should *'Try to maintain a minimum driveway length of 6m.'* In this case the driveway length will be slightly below threshold, however it is considered that due to the width of the front driveway and on foot of the recommendation from the Roads report below the proposal would be broadly acceptable.

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The front extension will have a hipped roof with an eaves height of c.2.785m and a ridge height of c.3.24m. The extension would integrate reasonably well with the character of the area and would not have a significant adverse impact on residential and visual amenity.

Single storey side extension & 'Velux' rooflight

The side extension will span the full length of the existing dwelling and will be broadly triangular in shape tapering to the rear (west). It will have a hipped roof and will be offset by c.0.755m from the boundary with the neighbouring property to the south. It will have a maximum ridge height of c3.721m and an eaves height of c2.785m. It will have a maximum width of c.3.3m to the eastern extent and a minimum width of c.1.16m to the western extent. The extension would integrate reasonably well with the character of the area and would not have a significant adverse impact on residential and visual amenity.

Single storey rear extension & 3 no. rooflights

The extension will project outwards from the main rear building line by c.3.114m and will span a width of c.6.363m. It will be built to the boundary with the immediate neighbour to the north and will have a flat parapet roof with a parapet height of c.3.384m. A reasonable level of private open space will remain post completion. The extension would integrate reasonably well with the character of the area and would not have a significant adverse impact on residential and visual amenity.

New first floor landing window

The new landing window at first floor level on the side gable will have no undue overlooking and would visually accord with the character of the area.

Widening of vehicular entrance

The existing vehicular entrance currently measures a width of c.2.6m and is proposed to be widened to 3.5m whereby the northern pillar will be moved further northwards and the southern pillar will remain in situ. This proposal is considered to be acceptable and is covered in further detail in the Access and Parking section of this planning report.

Access & Parking

A report was received from the Roads Section recommending no objections subject to **conditions**. An extract taken from the Roads report states the following:

Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

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Description:

Ground floor extension to the rear, side and front.

Widening of vehicular entrance from 2409mm to 3500mm.

It is proposed to create 2 No. car parking spaces to the front of the property. This is within the maximum car parking rate for a 3-Bed house set out in the SDCC Development Plan.

No Roads objections subject to the following conditions:

- 1. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.*
- 2. The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
- 3. Any gates shall open inwards and not out over the public domain.*

It is considered the above **conditions** shall be attached in the event of a grant whereby the maximum width of the proposed vehicular entrance shall be limited to 3.5m.

Parks & Landscaping

A report was received from the Parks Department recommending grant with **conditions**. An extract taken from the report states the following:

Conditions

Proposed Reduction of grass margin to facilitate an additional driving entrance

It is the opinion of the Public Realm Section that reduction/removal of the grass margin in order to facilitate the widening of the entrance driveway will negatively impact/impinge on the existing street tree. Street trees are an important element of local Green Infrastructure and should be retained. We would recommend refusal of this section.

Protection of Street Trees in Grass Margins

*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 in line with BS 5837. This fencing, enclosing the tree protection area must be installed prior to any development 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. **NCBH11 Objective 3***

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It is considered appropriate to attach the tree bond and tree protection **condition** in the event of a grant. However, the impact on biodiversity as a result of removing a portion of the grass verge is not considered to be significant in this instance.

Services and Drainage.

Although reports for Irish Water or Surface Water Drainage have not been received to date, in the event of a grant it is considered appropriate to attach standard drainage **conditions**.

Screening for Appropriate Assessment (AA)

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.

Screening for Environmental Impact Assessment (EIAR)

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

- Single storey extension to side, front and rear.
- Proposed works measure 46sq.m less 2.74sq.m. for reduced depth of front extension. Therefore, proposed works measure 43.26sq.m.
- No previous extensions.
- 40sq.m. exemption remains.
- Assessable area is 3.26sq.m..

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – single storey extension	46
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.241

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Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

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. (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.

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(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 construction activity commencing on site. Such noise sensitive locations should be provided with the following:

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- 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. Roads Requirements.

(a). Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.

(b). The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.

(c). Any gates shall open inwards and not out over the public domain.

(d). The maximum width of the vehicular entrance shall be limited to 3.5 metres.

REASON: In the interest of proper planning and sustainable development.

4. Tree Protection.

The applicant shall ensure the protection of the existing street tree through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works pertaining to widening of the vehicular entrance. Commencement of development shall not be permitted without adequate protective fencing being in place in line with BS 5837. This fencing, enclosing the tree protection area must be installed prior to any development 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. NCBH11

Objective 3

REASON: In the interest of tree protection.

5. Tree Bond.

A maximum of two weeks from the date of the Commencement Notice and prior to the commencement of works on site, a Bond or bank draft to the value of €1,500 shall be lodged with South Dublin County Council as a security for the protection of the existing street tree in the grassed margin during the course of the development works. This bond will be released twelve months after the completion of all site works once it has been ascertained that the tree specified for retention has been preserved in its prior condition and has suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree protection.

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REASON: In the interest of tree protection and the proper planning and sustainable development of the area.

6. Depth of Front Extension.

The depth of the entire front extension shall not exceed 1.5m beyond the line of the front building line of the dwelling.

REASON: In the interest of proper planning and sustainable development and to ensure adequate depth for on site car parking and to comply with the SDCC House Extension Design Guide 2010 (Section 4 Front Extension).

7. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €340.64 (three hundred and forty euros and sixty four cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can 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 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 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: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

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REG. REF. SD22B/0327
LOCATION: 14, Hillsbrook Drive, 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: 7/09/22



Gormla O'Corrain,
Senior Planner