

Comhairle Chontae Atha Cliath Theas

PR/1187/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0288 **Application Date:** 22-Jun-2022
Submission Type: Additional **Registration Date:** 24-Aug-2022
Information

Correspondence Name and Address: Besler Design 1, St Attracta Road, Dublin 7, D07 Y2H2

Proposed Development: The development will consist of the demolition of the existing rear extension. To construct a two bedroom granny flat at rear and a single storey side and rear extensions. A new side vehicular entrance and dishing at Castle Park

Location: 1, Castle Drive, Clondalkin, Dublin 22

Applicant Name: Ms Xingfeng Zheng & Mr. Bangfu Rong

Application Type: Permission

Description of Site and Surroundings:

Site Description:

The subject site is located at the junction of Castle Park and Castle Drive and contains a 2 storey, semi-detached three-bedroom house.

The existing dwelling is comprised of a ramped entrance with a porch, an entrance hallway, sitting room, dining room and kitchen at ground floor level and 3 No. bedrooms, a family bathroom and a box room at first floor level. The dwelling has been subject to previous modification in the form of a single-story extension to the rear with a flat roof profile and a garage conversion. It should be noted that the existing floor plans provided with this Planning Application are deficient in that not all existing rooms have been annotated with a use.

The surrounding streetscape is generally characterised by 2 storey semi-detached dwellings of a similar architectural form and scale.

Site Area:

Stated as 0.06733 Ha.

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Proposal:

Permission is sought for the following:

- A single storey extension to the rear of the existing dwelling which projects approximately 5.1m out from the rear elevation and spans an approximate width of 9.31m and with a pitched roof profile with an approximate ridge height of 3.6m. The single storey rear extension is comprised of a kitchen/dining room and a separate wok kitchen with an approximate gross floor area of 41.9 sq. m.
- A single storey extension to the side of the existing dwelling which projects approximately 4.15m out from the side (eastern) elevation of the existing dwelling and spans an approximate length of 8.4m with a hipped roof profile with an approximate maximum height of 3.8m. The proposed single storey side extension is comprised of a home office with kitchen area and toilet with an approximate gross floor area of 30 sq. m. According to the drawings provided by the Applicant there is no direct internal connection between the proposed side extension and the main dwelling, with the only access in the rear elevation of the proposed side extension.
- Provision of a single storey family flat to the rear of the existing dwelling with an approximate gross floor area of 43 sq. m, measuring approximately 6.3m in width and 7.9m in length and with a pitched roof profile with an approximately ridge height of 3.7m. The proposed family flat is comprised of a kitchen/living/dining area, 2 No. bedrooms and a bathroom.
- No amendments are proposed at first floor level.
- Provision of a new vehicular entrance onto Castle Park measuring approximately 3.5m in width and with a new steel framed PVC swing gates with 1.9m high pillars on either side.
- All ancillary works above and below ground.

Zoning

The site is subject to zoning objective 'RES' – 'To protect and/or improve residential amenity' in the South Dublin County Development Plan 2022-2028.

Consultations:

Drainage and Water Services Department: No report received at time of writing.
Irish Water: No report received at time of writing.
Parks and Public Realm Department: Refusal recommended.
Roads Department: No objection, subject to conditions.

Screening for Strategic Environmental Assessment

No overlap indicated with relevant environmental layers.

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Submissions/Observations /Representations

Final date for submissions/observations – 26th July 2022.

None received.

Relevant Planning History

Subject Site

No recent planning history recorded for the subject site.

Adjacent Sites

No recent relevant Planning History recorded on adjacent sites.

Relevant Enforcement History

None found in preliminary search.

Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Development Plan (2022-2028)

Chapter 4 Green Infrastructure

Section 4.1 Methodology

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

Section 4.2.1 Biodiversity

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

Section 4.2.2 Sustainable Water Management

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

Section 6.8 Residential Consolidation

Policy H13: Residential Consolidation

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Promote and 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.

H13 Objective 1:

To promote and support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

H13 Objective 2:

To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 12: Implementation and Monitoring.

H13 Objective 3:

To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 12: Implementation and Monitoring.

H13 Objective 5:

To ensure that new development in established areas does not unduly impact on the amenities or character of an area.

Section 6.8.2 Residential Extensions

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

H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 6.8.3 Family Flats

A family flat refers to a temporary subdivision or extension of an existing single dwelling unit to provide semi-independent accommodation for an immediate family member (older parent or other dependent). The Council will consider family flat developments where an established need has been satisfactorily demonstrated.

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Policy H15: Family Flats

Support family flat development subject to the protection of residential and visual amenities.

H15 Objective 1:

To favourably consider a family flat development where the Council is satisfied that there is a valid need for semi-independent accommodation for an immediate family member or members subject to the criteria outlined in Chapter 12: Implementation and Monitoring.

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 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

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

Chapter 12 Implementation and Monitoring

Section 12.6.7 Residential Standards

Section 12.6.8 Residential Consolidation

Family Flats

A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of an existing dwelling). A family flat is not considered to represent an independent dwelling unit and as such open space and car parking standards are not independently assessed. Proposals for family flat extensions should meet the following criteria:

The applicant shall be required to demonstrate that there is a genuine need for the family flat;

The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;

The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;

Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house;

Conditions may be attached to any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

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Section 12.7.4 Car Parking Standards

Table 12.26 Maximum Parking Rates (Residential Development)

Section 12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

Section 12.7.6 Car Parking Design and Layout

Section 12.10.1 Energy Performance in New Buildings

Section 12.12.4 Environmental Monitoring

South Dublin County Council House Extension Design Guide, 2010

The House Extension Design Guide contains the following guidance on house extensions, including for porches and front extensions:

Elements of Good Extension Design:

- *Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible.*

Side extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.*
- *Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.*
- *Do not incorporate blank gable walls where extensions face onto public footpaths and roads.*
- *Avoid the use of prominent parapet walls to the top of side extensions.*

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.*

Overlooking and loss of privacy

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

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Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

Relevant Government Policy

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

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

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

Urban Design Manual, 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).

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

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021)

Assessment

The main issues for assessment are:

- Zoning and Council Policy.
- Visual Impact.
- Residential Amenity.
- Green Infrastructure.
- Drainage and Water Services.
- Vehicular Access and Parking.
- Environmental Impact Assessment.
- Appropriate assessment.

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Zoning and Council Policy

The proposed development is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. New residential extensions to existing dwellings are permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010.

Visual Impact and Residential Amenity

Each element of the proposed development shall be assessed individually below having regard to the policies and objectives contained within the South Dublin County Development Plan 2022-2028, the content of the South Dublin House Extension Design Guide and the potential impact on the visual and residential amenity of the subject site, adjacent properties and the surrounding streetscape.

Family Flat

The proposed development includes the provision of a single storey family flat to the rear of the existing dwelling with an approximate gross floor area of 43 sq. m, measuring approximately 6.3m in width and 7.9m in length and with a pitched roof profile with an approximately ridge height of 3.7m. The proposed family flat is comprised of a kitchen/living/dining area, 2 No. bedrooms and a bathroom.

Policy on Family Flats

The family flat element of the proposed development is assessed below on the criteria outlined in Section 12.6.8 of the South Dublin County Development Plan 2022-2028.

- The applicant shall be required to demonstrate that there is a genuine need for the family flat.

In the Cover Letter provided with the application, reference is made to the Applicant's large family and that they plan to live with their elderly parents. No further information is provided by way of demonstration that there is a genuine need for the proposed family flat. The inference is that the Applicant's elderly parents would live in the family flat. Should the Planning Authority be minded to Grant Permission for the proposed family flat, it is considered appropriate that a **CONDITION** be attached requiring the family flat to be occupied by family members only and preventing the family flat from being leased, operated or sold separately to the main dwelling.

- The overall area of a family flat should not exceed 50% of the floor area of the main dwelling house.

The area of the flat is stated to be 43 sq. m and the area of the existing dwelling is stated to be 213 sq. m. The area of the proposed family flat is therefore less than 50% of the floor area of the main house.

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- The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;

Whilst the main entrance to the existing dwelling is retained, the family flat is not directly accessible from the front door of the main dwelling via an internal access door. The proposed family flat is accessed from an external door in the northern elevation of the building just off the patio to the rear of the existing dwelling. In this regard a re-design of the proposed family flat is required to ensure it is accessible via an internal access door from the main dwelling to adhere to Section 12.6.8 of the South Dublin County Development Plan 2022-2028. This re-design can be achieved by way of a request for **ADDITIONAL INFORMATION**.

- Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house

As previously noted, a re-design of the proposed family flat is required to ensure it is accessed via an internal door from the existing dwelling. In re-designing the proposed family flat, the Applicant should ensure that any external doors for the family flat are limited to the side and rear of the existing dwelling. This re-design can be achieved by way of a request for **ADDITIONAL INFORMATION**.

- Conditions may be attached to any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

Although the separate nature of the proposed family flat from the existing dwelling should be addressed in the re-design as outlined above, it is noted that the inclusion of new vehicular entrance opens up the potential for the family flat to be operated as a separate dwelling. As such, it is pertinent that, should the Planning Authority be minded to Grant Permission for the proposed family flat, a **CONDITION** should be attached to ensure that the structure is not leased, operated or sold as a separate dwelling and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

Having regard to the content of the South Dublin House Extension Design Guide (2010), the following concerns arise in relation to the proposed development:

Separation Distance – In relation to the provision of a gap between side extensions and adjoining properties, the House Extension Design Guide states that:

'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.'

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It is noted that there is a gap ranging from 1m to 1.38m from the western boundary wall of the subject site, the other side of which lies Castle Park.

Temporary Nature of Development

Family flats are by nature a temporary development, creating an arrangement whereby someone who is unable to live completely autonomously, has some level of privacy in their residence. South Dublin County Council applies, as previously outlined it is standard practice for the Planning Authority to attach a **CONDITION** to permitted family flats to ensure that the flat be reintegrated with the main dwelling house if and when it is no longer needed as a family flat. In this case, it is apparent from the Floor Plan layout and the clear separation of the family flat from the main existing dwelling and the proposed additional vehicular entrance that there is potential for the family would be easily reintegrated with the main house following its use as a flat, it is therefore pertinent that such a condition be attached.

Conclusion

Whilst it is acknowledged that the receiving context of the subject site includes an internal road for the residential area known as 'Castle Park' running along the western boundary of the subject site, the proposal is for a family flat would introduce new development to the subject site which has the potential to impact on the character and setting of the receiving context. Having regard to the Family Flat policy contained within Section 12.6.8 of the Development Plan and the content of the South Dublin House Extension Design Guide (2010), it is considered that the proposal in its current form is not consistent with the policies and objectives contained therein.

It is considered that an integration of the family flat into the existing dwelling as opposed to the proposed separate building may reduce the potential visually incongruous appearance of the structure. Furthermore, as previously outlined the proposed access arrangements are not consistent with the requirements outlined in Section 12.6.8 of the Development Plan. In this regard, the Applicant should be requested, by way of **ADDITIONAL INFORMATION**, to adhere to the content of the Development Plan and the key principles of proper planning and sustainable development.

Single Storey Rear Extension

The proposal includes a single storey rear extension to the existing dwelling which projects approximately 5.1m out from the rear elevation and spans an approximate width of 9.31m and with a pitched roof profile with an approximate ridge height of 3.6m. The single storey rear extension is comprised of a kitchen/dining room and a separate wok kitchen with an approximate gross floor area of 41.9 sq. m.

In relation to the potential for residential extensions to be overbearing, the South Dublin House Extension Design Guide (2010) states the following:

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'Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved'.

It is noted that, although the maximum overall height of the proposed single storey extension is 3.6m, the pitched roof profile slopes downwards to an eaves height of approximately 2.2m at the boundary wall with No. 3 Castle Drive. As such, it is considered that the proposal adheres to the content of the house extension design guide.

Single Storey Side Extension

Provision of a single storey extension to the side of the existing dwelling is proposed which projects approximately 4.15m out from the side (eastern) elevation of the existing dwelling and spans an approximate length of 8.4m with a hipped roof profile with an approximate maximum height of 3.8m. The proposed single storey side extension is comprised of a home office and toilet with an approximate gross floor area of 30 sq. m.

The proposed side extension largely accords with the provisions of the South Dublin House Extension Design Guide (2010) and the Planning Authority is generally satisfied that it will not adversely impact the visual and residential amenity of the subject site, adjacent properties and surrounding streetscape however the following concerns arise in relation to the design of the proposal:

- The roof profile of the proposed side extension is hipped and therefore does not match the shape and slope of the pitched roof profile of the main dwelling. Insufficient architectural rationale has been provided for this visually incongruous roof profile. In this regard, the Applicant should be requested to re-design the proposed roof profile to match the shape and slope of the existing profile of the main dwelling.
- According to the drawings provided by the Applicant there is no direct internal connection between the proposed side extension and the main dwelling, with the only access in the rear elevation of the proposed side extension. In re-designing the proposed family flat to ensure internal access from the main dwelling, the Applicant should also ensure that the proposed single storey side extension is directly accessible from the main dwelling.

The Planning Authority is satisfied that the above outlined concerns with the design of the proposed side extension can be addressed by way of a request for **ADDITIONAL INFORMATION**.

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Cumulative Impact

Whilst principle of the proposed Family Flat and extension to the existing dwelling is considered acceptable at the subject site, a concern arises in relation to the cumulative impact of the additional footprint of the proposed development. It is considered that the proposal in its current guise would amount to the overdevelopment of the subject site. As such, the Applicant should re-design the proposed development to better integrate into the existing dwelling at the subject site. For example, as previously outlined, the proposed Family Flat and single storey side extension should be internally accessible from the existing dwelling. It is considered that, in re-designing the proposed development, a single storey side and rear extension would represent a more coherent design solution.

Green Infrastructure

The subject application provides for an increase to the footprint of an existing dwelling within an established suburban residential area. The site is located within the Camac River Primary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4) and Table 4.1 of the South Dublin County Development Plan 2022-2028.

It is noted that the application does not appear to include Sustainable Urban Drainage System measures. Having regard to the location of the site within a Primary Corridor, the extent of private amenity grassland, the scale of the footprint increase and the lack of/ limited provision of SuDS measures, it is considered that the subject development has not incorporated Green Infrastructure and would therefore not be in accordance with Policy Objectives GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 – 2028.

Having regard to the above the applicant should be requested, by way of **ADDITIONAL INFORMATION**, to submit a landscape plan and updated drainage plan, incorporating the protection and enhancement of Green Infrastructure assets through the adoption of SuDS measures, demonstrating compliance with the Green Infrastructure Strategy outlined in the South Dublin County Development Plan 2022-2028. Further information in relation to SuDS measures can be found in South Dublin County Council's *Sustainable Drainage Explanatory Design & Evaluation Guide 2022*, a copy of which is available on the SDCC website.

Drainage and Water Services

The Irish Water Network map appears to indicate that the subject site is serviced by a public mains and sewer. Should permission be granted for the proposed development, it is considered appropriate that standard drainage **CONDITIONS** should be attached relating to water supply, surface water and foul water drainage.

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Parks and Public Realm

The Parks and Public Realm have assessed the proposed development and have recommended a Refusal on the following basis:

'Creating a vehicular entrance at the proposed location would require the removal of a mature street cherry tree on Castle Park.'

The removal of a street tree in this location would have an adverse impact on the Green Infrastructure network surrounding the subject site and would have a visual impact on the amenity of the street along Castle Park. The proposed vehicular entrance would therefore be contrary to Green Infrastructure Policy 2 Objectives 1, 2 and 9 and Policy HCL15 Objective 3.

No rationale has been provided for the provision of second vehicular entrance to the subject site and thus, insufficient justification has been provided for the removal of a street tree, which would result in the fragmentation of the existing Green Infrastructure network. As previously outlined in this Report, a slight re-design of the proposed Family Flat is required to better integrate the proposal into the existing dwelling at the subject site. In re-designing the proposed development, the Applicant should omit the proposed vehicular entrance. The omission of the secondary vehicular entrance should be shown on the drawings and documentation provided by way of **ADDITIONAL INFORMATION**.

Vehicular Access and Parking

The proposed development includes the provision of a new vehicular entrance onto Castle Park measuring approximately 3.5m in width and with a new steel framed PVC swing gates with 1.9m high pillars on either side.

Whilst the proposal would generally accord with Section 12.7.6 of the South Dublin County Development Plan 2022-2028, as previously noted the creation of a secondary vehicular entrance would result in the removal of an existing street tree and thus would have an unacceptable impact on the existing Green Infrastructure network. It is considered that sufficient off-street car parking exists to the front of the existing dwelling and thus there is no requirement for a secondary vehicular entrance. The proposed vehicular entrance should be omitted from the design of the proposed development.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no 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.

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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 in the form of single storey rear and side extension and a family flat. Having regard to:

- the 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.

Conclusion

Having regard to the 'RES' land-use zoning of the area, the relevant policies and objectives of the South Dublin County Development Plan 2022-2028 and the South Dublin House Extension Design Guide 2010, the proposed development of a single storey rear and side extension to an existing dwelling and a family flat is generally acceptable in principle. However, **ADDITIONAL INFORMATION** is required to address concerns regarding the impact of the proposal on the existing Green Infrastructure networks, the visual and residential amenities of the subject site, adjoining properties and the surrounding streetscape and to facilitate a complete assessment of the proposed development.

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The Applicant is requested to provide revised plan, sectional and elevational drawings to demonstrate the application of the following amendments:
 - (i) The re-design of the proposed family flat to be internally accessible from the existing dwelling and to ensure adherence to Section 12.6.8 of the South Dublin County Development Plan 2022-2028.
 - (ii) Re-design the proposed roof profile of the single storey side extension to match the shape and slope of the existing profile of the main dwelling.
 - (iii) Re-design the internal layout of the proposed single storey side extension to omit the sink and utility area and to ensure a direct internal connection between the proposal and the main dwelling.
 - (iv) The omission of the proposed vehicular entrance onto Castle Park.

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2. The Applicant is requested to provide a Landscape Plan and updated Drainage Layout Plan which demonstrate the protection and enhancement of Green Infrastructure assets through the adoption of Sustainable Urban Drainage Systems (SuDS measures) into the design of the drainage and water services infrastructure for the proposed development. In preparing the Landscape Plan and updated Drainage Layout, the Applicant should have regard to the Green Infrastructure Strategy, Policies and Objectives outlined in the South Dublin County Development Plan 2022-2028. Further information in relation to SuDS measures can be found in South Dublin County Council's Sustainable Drainage Explanatory Design & Evaluation Guide 2022, a copy of which is available on the SDCC website.

Additional Information

Additional Information was requested on 16th August 2022.

Additional Information was received on 24th August 2022.

The Additional Information received was not deemed to be significant, as such the Applicant was not required to erect a Site Notice or publish a Newspaper Notice.

Submissions/Observations

No submissions / observations received at the time of writing this Report.

Assessment

The following Additional Information was received from the Applicant on 24th August 2022:

- Drawing No. 2209-PL-FP-01 – Proposed Ground Floor Plan.
- Drawing No. 2209-PL-FP-02 – Proposed First Floor Plan.
- Drawing No. 2209-PL-EL-01 – Proposed Elevations.
- Drawing No. 2209-PL-EL-02 – Proposed Elevations 2.
- Drawing No. 2209-PL-EL-03 – Proposed Sections.
- Drawing No. 2209-PL-DP-01 – Proposed Landscape and Drainage Plan.

The Additional Information provided by the Applicant will be assessed below in the context of the 2 No. items of Additional Information requested by the Planning Authority on 16th August 2022:

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Additional Information Item No. 1

In response to Additional Information Item No. 1 the Applicant has provided amended drawings showing the following amendments to the design of the proposed development:

- The proposed family flat is now internally accessible from the main dwelling.
- The roof profile of the proposed single storey side extension has been amended to a pitched roof profile to reflect the shape and profile of the existing dwelling.
- The internal layout of the proposed single storey side extension has been amended to omit the sink and utility area and a direct internal connection has been included to the main dwelling.
- The proposed vehicular entrance onto Caste Park has been omitted.

The amendments applied by the Applicant have successfully addressed Additional Information Item No. 1.

Should the Planning Authority be minded to Grant Permission for the proposed development, it is considered appropriate to attach a **CONDITION** ensuring the existing dwelling, proposed extension and proposed family flat are not leased, operated or sold separately to the main dwelling.

Additional Information Item No. 2

In response to Additional Information Item No. 2 the Applicant has provided a Proposed Landscape and Drainage Plan (Drawing No. 2209-PL-DP-01).

It is noted that the drainage infrastructure design for the proposed development includes the adoption of Sustainable Urban Drainage Systems (SuDS) in the form of rainwater butts and permeable paving. It is considered that Additional Information Item No. 2 has been satisfactorily addressed.

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Other Considerations

Development Contributions	
Planning Reference Number	SD22B/0288
Summary of permission granted & relevant notes:	Residential Extension and family flat
Are any exemptions applicable?	Yes
If yes, please specify:	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
Is development commercial or residential?	Residential
Standard rate applicable to development:	104.49
% Reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m2)	122.7
Amount of Floor area, if any, exempt (m2)	40
Total area to which development contribution applies (m2)	82.7
Total development contribution due	€8,641.32

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential (Domestic Extension and Family Flat)	122.7 sq m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.06733 Ha.

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Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2016-2022 and the South Dublin County House Extension Design Guide (2010), the Additional Information provided by the Applicant, it is considered that, subject to conditions, the proposed development generally adheres to the key policies, objectives and guidance and would not be contrary to 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 24th August 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. Restrictions on Family Flat.
 - (a) The use of the family flat and extension to the main dwelling shall be restricted to a residential use only, directly associated with the use of the existing house on the site for such purposes and the family flat shall not be subdivided or separated from the main house. In particular, it shall not be sold, leased or let (including short-term letting) independently of the main house.
 - (b) The family flat extension shall revert to use as part of the main house when the development is no longer required for use as a family flat.
REASON: To ensure that the family flat does not operate as an independent dwelling unit or for any commercial purpose, in the interest of residential amenity and the proper

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planning and sustainable development of the area.

3. (a) External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the house or its context.

REASON: In the interest of visual amenity.

(b) Restriction on Use.

The house, family flat 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

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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.

4. (a) The vehicular access points shall be limited to a width of 3.5 meters.
- (b) The boundary walls 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) 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.
- (d) Any gates shall open inwards and not out over the public domain.
- (e) All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

REASON: In the interests of vehicular and pedestrian safety and the proper planning and sustainable development of the area.

5. Prior to the commencement of development the applicant shall submit written agreement outlining that the applicant understands that the development is proposed adjacent to a line of street trees that are an important feature within the landscape. The developer must ensure that the construction and operation of the proposed development does not conflict with the safety of existing street trees. No street tree removal is permitted with this Planning Application. Any tree works that is required prior, during or post completion

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will be completed by a suitably qualified arborist. The applicant shall bear the cost of any tree works. Any proposed works shall be agreed with SDCC Public Realm Section prior to the commencement of development.

6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €8,641.32 (Eight Thousand, Six Hundred and Forty One Euro and Thirty Two Cent), 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 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.

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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: 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.

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/0288

LOCATION: 1, Castle Drive, Clondalkin, Dublin 22



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: 20/09/2022



Deirdre Kirwan,
Senior Executive Planner