

# Comhairle Chontae Atha Cliath Theas

**PR/1205/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22B/0309      **Application Date:** 28-Jun-2022  
**Submission Type:** Additional      **Registration Date:** 01-Sep-2022  
Information

**Correspondence Name and Address:** David Corbally 55, Ludford Drive, Ballinteer, Dublin 16

**Proposed Development:** First floor extension to rear.

**Location:** 2, Ballyboden Crescent, Rathfarnham, Dublin 16

**Applicant Name:** Sean and Lisa Sherridan

**Application Type:** Permission

(COS)

### **Description of Site and Surroundings**

Site Area: stated as 0.0561 Hectares on the application form.

Site Visit: 20<sup>th</sup> of July 2022.

### **Site Description**

The subject site is located on a corner site on Ballyboden Crescent in an existing housing estate in Rathfarnham. The site consists of a two storey, semi-detached dwelling with existing side and rear extensions. The streetscape consists of housing of a similar form and character (moreso terraced housing).

### **Proposal**

Permission is being sought for a first floor extension to the rear.

### **Zoning**

The subject site is zoned 'RES': *'To protect and/or improve residential amenity'* under the South Dublin County Development Plan 2022-2028.

### **Consultations**

Water Services	No report received at the time of writing this report.
Irish Water	No report received at the time of writing this report.
Roads Department	No report received at the time of writing this report.

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SEA Sensitivity Screening – the site overlaps with the following layers:

- Aviation Related – Take Off Climb Surfaces, Approach Surfaces and Outer Horizontal Surface for Casement, and Bird Hazards.
- Riparian Corridor

### Submissions/Observations /Representations

None received.

### Relevant Planning History

#### *Subject site*

ED22/0012

First Floor extension to rear. **Declared not exempt.**

SD14B/0188

Single storey front extension; single storey side and rear extension and associated works. **Permission granted.**

SD11A/0081

Two storey attached two bed house to side with new vehicular access. **Permission refused due to impact on dwelling to the north regarding overlooking and sense of enclosure, non-compliance with policy relating to corner sites, substandard minimum floor areas, and would set an undesirable precedent.**

SD10A/0235

Two storey attached 2 bed house to side with new vehicular access. **Permission refused due to impact on dwelling to the north regarding overlooking and sense of enclosure, undersized private amenity space, and would set an undesirable precedent.**

SD09A/0271 & ABP Ref. PL06S.234876

Two storey attached two bed house to side with new vehicular access. **Permission refused by SDCC, and ABP. ABP refused permission due to impact on dwelling to the north regarding overlooking and sense of enclosure.**

SD04A/0880 & ABP Ref. PL06S.210803

For a detached 2-storey dwelling house to the eastern side. Permission granted by SDCC. Appealed to ABP. **ABP decided to refuse permission as by reason of the detached nature of the dwelling, the proposed development would seriously injure the residential amenity of the property to the rear.**

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### ***Adjacent and surrounding sites***

SD03A/0047 5, Ballyboden Crescent, Rathfarnham (to the rear of the site)  
2-storey detached house and widened driveway. **Permission granted.**

SD18A/0255 & ABP Ref. PL06S.304332 Buglers Ballyboden House, Ballyboden Road (site adjoining site to rear)

(I) Construction of a single storey extension (219.9sq.m) to rear of existing public house comprising additional bar and seating area, enclosed smoking area, new ground floor w.c. and new rear entrance from existing car park; (II) Provision of beer garden along the southern elevation of the existing public house; (III) Construction of covered smoking area along the northern elevation of the existing public house; (IV) Erection of single storey storage unit (100sq.m) ancillary to the public house; (V) Provision of new vehicular entrance from rear carpark to serve storage unit; (VI) Change of use of existing male bathroom to provide additional kitchen pace (14sq.m); And all ancillary works necessary to facilitate the proposed development including boundary treatments and landscaping. Permission refused by SDCC. First party appeal to ABP. **ABP granted permission.**

### **Relevant Enforcement History**

None identified in APAS.

### **Pre-Planning Consultation**

None identified in APAS.

### **Relevant Policy in South Dublin County Council Development Plan 2022 – 2028**

*Policy G11: Overarching*

*G11 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.*

*Policy G12: Biodiversity*

*G12 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.*

*Policy G13: Sustainable Water Management*

*Protect and enhance the natural, historical, amenity and biodiversity value of the County's watercourses. Require the long-term management and protection of these watercourses as*

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*significant elements of the County's and Region's Green Infrastructure Network and liaise with relevant Prescribed Bodies where appropriate.*

*Accommodate flood waters as far as possible during extreme flooding events and enhance biodiversity and amenity through the designation of riparian corridors and the application of appropriate restrictions to development within these corridors.*

*GI3 Objective 1:*

*To ensure that hydromorphical assessments are undertaken where proposed development is within lands which are partially or wholly within the Riparian Corridors identified as part of this Development Plan.*

*GI3 Objective 2:*

*To require development proposals that are within riparian corridors to demonstrate how the integrity of the riparian corridor can be maintained and enhanced having regard to flood risk management, biodiversity, ecosystem service provision, water quality and hydromorphology.*

*GI3 Objective 3:*

*To promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site.*

*Policy GI4: Sustainable Drainage Systems*

*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.*

*Policy QDP7: High Quality Design – Development General*

*Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.*

*Policy QDP11: Materials, Colours and Textures*

*Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.*

*Policy H11: Privacy and Security*

*Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.*

*Policy H14: Residential Extensions*

*Support the extension of existing dwellings subject to the protection of residential and visual amenities.*

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### *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).*

### *Policy E3: Energy Performance in Existing and New Buildings*

*Support high levels of energy conservation, energy efficiency and the use of renewable energy sources in new and existing buildings including the retro fitting of energy efficiency measures in the existing building stock in accordance with relevant building regulations, national policy and guidance and the targets of the National and South Dublin Climate Change Action Plans.*

### *11.3 Flood Risk Management*

#### *11.3.1 Riparian Corridors*

#### *Policy IE4: Flood Risk*

*Ensure the continued incorporation of Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive and to promote a climate resilient County.*

#### *12.3.1 Appropriate Assessment*

#### *12.3.2 Ecological Protection*

#### *12.3.3 Environmental Impact Assessment*

#### *12.4.1 Green Infrastructure Definition and Spatial Framework*

#### *12.4.2 Green Infrastructure and Development Management*

#### *12.4.3 Riparian Corridors*

*Development within or affecting riparian corridors will be required to:*

- Ensure that hydromorphological assessments are undertaken where proposed development is within lands which are partially or wholly within the Riparian Corridors identified as part of this Development Plan;*
- Demonstrate how the integrity of the riparian corridor can be maintained and enhanced having regard to flood risk management, biodiversity, ecosystem service provision, water quality and hydromorphology;*
- Promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site. This is a minimum and should be considered in light of the bullet points above;*
- Uncover existing culverts where appropriate and in accordance with relevant river catchment proposals, restore the watercourse to acceptable ecological standards for biodiversity wherever possible, improving habitat connection and strengthening the County's GI network.*

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*12.5 Quality Design and Healthy Placemaking*

*12.5.2 Design Considerations and Statements*

*12.5.3 Density and Building Heights*

*12.6 Housing - Residential Development*

*12.6.7 Residential Standards*

*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.*

*12.7.4 Car Parking Standards*

*Table 12.26: Maximum Parking Rates (Residential Development)*

*12.11.1 Water Management*

### **South Dublin County Council House Extension Design Guide (2010)**

The House Extension design guide contains the following guidance on house extensions, including rear 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.*

Rear extensions

- Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- Make sure enough rear garden is retained*
- Do not create a higher ridge level than the roof of the main house.*
- The roofline of large extensions to the rear of single storey bungalows should not be visible from public view to the front or to the side of the bungalow.*

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### **Relevant Government Guidelines**

*Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).*

*Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).*

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

*Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).*

*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 relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;
- Riparian Corridor and Green Infrastructure,
- Water Management;
- Environmental Impact Assessment; and
- Appropriate Assessment.

### ***Zoning and Council Policy***

The proposed development is consistent in principle 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 and Residential Amenity***

The proposed development would provide for a first floor extension above the existing ground floor extension. It would extend approx. 4m from the rear building line, aligning with the existing ground floor extension. The extension would provide for a bedroom approx. 11.09sq.m in size. This is under the minimum floorspace requirement for a double bedroom (11.4sq.m) under the CDP. However, given it is only slightly under, it is acceptable in size.

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A window is proposed on the side (eastern) elevation. This would face the streetscape and therefore not result in any unacceptable levels of overlooking to neighbouring properties. The extension would be sufficiently setback from site boundaries and neighbouring dwellings so as not to have significant overbearing or overshadowing impacts.

The extension would have a flat roof and result in a rear extension approx. 5.7m in overall height. The House Extension Design Guide allows for flat roof extensions if not prominent from a nearby public road or area. As the site is on a corner, the extension would be visible from the public road and area. It is therefore considered that the extension should be amended so that the roof matches the form and character of the existing house. The existing rear extension has a pitched roof, which is considered to be an appropriate form to use on the proposed first floor extension. **This can be addressed by way of additional information.**

### *Access and Parking*

No report from the Roads Department was received at the time of writing this report. However, no changes to access or parking are proposed.

### *Riparian Corridor and Green Infrastructure*

The subject site is located within a Riparian Corridor as identified on the Green Infrastructure and Flood Risk map of the CDP. The site is also proximate to a Secondary Green Infrastructure Link as identified on Figure 4.4: Green Infrastructure Strategy Map in the CDP. The subject application provides for a first floor extension to an existing house. Having regard to the nature and scale of the development it is considered that would be in accordance with riparian corridor and green infrastructure policies and objectives of the CDP 2022-2028.

### *Water Management*

No reports were received from Water Services and Irish Water. Standard conditions should apply in the event of a grant of permission.

### *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 applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves a first floor extension.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced 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:

- provisions of the South Dublin County Development Plan 2022-2028 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that **Additional Information** is required to ensure the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

Request Additional Information.

### **Additional Information**

Additional Information was requested on the 22<sup>nd</sup> of August 2022

Additional Information was received on the 1<sup>st</sup> of September 2022 (not deemed significant).

### **Assessment**

#### ***Item 1 Requested***

*SDCC's House Extension Design Guide (2010) allows for flat roof extensions if not prominent from a nearby public road or area. As the site is on a corner, the proposed extension would be visible from the public road and area. It is therefore considered that the extension should be amended so that the roof matches the form and character of the existing house. The existing rear extension has a pitched roof, which is considered to be an appropriate form to use on the proposed first floor extension. This applicant is requested to submit a full set of revised drawings showing a pitched roof on the proposed extension.*

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### Applicant's Response:

The applicant has submitted revised drawings showing a hipped roof on the proposed first floor extension.

### Assessment:

The proposed hipped roof would successfully integrate with the form and design of the existing house. The use of a hipped roof works better visually than a pitched roof (no abrupt gable end to rear). An element of the extension would have a flat roof; however, this is minor and not visible from the streetscape. The revised proposal is therefore considered to comply with the House Extension Design Guide and should be granted permission subject to conditions.

### **Development Contributions**

First floor extension 11.06sq.m

Previous extensions 28sq.m

Remaining area of 40sq.m exemption is 12sq.m

Assessable area = Nil

### **SEA monitoring**

Building Use Type Proposed: Residential extension

Floor Area: 11.06sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0561 Hectares.

### **Conclusion**

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s)

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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 the 1st of September 2022, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. (a) External Finishes.  
All external finishes shall harmonise in colour or texture that is complementary to the house or its context.  
REASON: In the interest of visual amenity.  
(b) Restriction on Use.  
The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.  
REASON: To prevent unauthorised development.  
(c) Drainage - Irish Water.
  - (i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
  - (ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
  - (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

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provision.

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of 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.

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NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

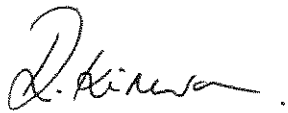
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**REG. REF. SD22B/0309**


**LOCATION: 2, Ballyboden Crescent, Rathfarnham, Dublin 16**



**Deirdre Kirwan,  
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:** 27/09/22



**Gormla O'Corrain, Senior Planner**