

Comhairle Chontae Atha Cliath Theas

PR/1241/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0361 **Application Date:** 10-Aug-2022
Submission Type: New Application **Registration Date:** 10-Aug-2022

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

Proposed Development: Garage conversion; Removal of the existing chimney stack; Construction of ground floor extension at rear; First floor extension at front and side of dwelling; New hipped canopy structure over porch and window; New roof light; Widen vehicular entrance and all associated site works.

Location: 38, Old Bawn Park, Dublin 24

Applicant Name: Anthony Broderick & Stephanie James-Broderick

Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Description:

The site accommodates a semi-detached dwelling with pitched roof and with attached side garage. The majority of dwellings in the area are two storey semi-detached dwellings with pitched roofs and with a mainly uniform building line. It is noted there is a street tree on the grass verge to the front of the subject site.

Site Area: 0.0237 Ha.

Proposal:

The proposed development consists of the following:

- Removal of the existing chimney stack.
- Conversion of existing bathroom & store room into a home office.
- Construction of ground floor rear extension.
- First floor extension to front and side.
- New hipped canopy structure over porch and window.
- New roof light to front.
- Widen vehicular entrance from 2.95m to 3.5m.
- Proposed works measure c.27.1sq.m.

Zoning

The 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

Irish Water – No report received

Parks Department – Grant with **conditions**.

Roads Department – No roads objections.

Screening for Strategic Environmental Assessment

No overlap indicated with relevant environmental layers.

Submissions/Observations /Representations

None received.

Relevant Planning History

No planning history traced for subject site.

Adjacent sites

SD02B/0571: 40, Old Bawn Park, Old Bawn, Dublin 24.

Garage conversion to playroom also utility room to rear and bedroom over with tiled roof to porch at front.

Decision: **GRANT PERMISSION.**

SD07B/0956: 36, Old Bawn Park, Tallaght, Dublin 24.

Conversion of existing side garage with a hipped tiled roof over and continued across front of existing house with 1 no. decor column.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History

None.

Pre-Planning Consultation

None.

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.

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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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South Dublin County Council House Extension Design Guide (2010)

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 Environment, Heritage, and Local Government, (2007).

Relevant Government Policy

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

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

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

Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

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

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department Environment, Heritage, and Local Government, (2007).

Assessment

The main issues for the assessment are:

- Zoning and Council Policy
- Residential and Visual Amenity
- Parks and landscaping
- Access and parking
- Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR).

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Zoning and Council Policy

The site is located in an area that is zoned 'RES' 'to protect and/or improve residential amenity.' A residential extension is permitted in principle subject to its accordance with the relevant provisions in the Development Plan.

Residential and Visual Amenity

Removal of the existing chimney stack.

This is considered acceptable.

Conversion of existing bathroom & store room into a home office (Garage conversion).

The existing attached single storey side element will be converted into a home office. The home office will span a width of c.2.2m and will span a length of c.8.57m. The home office will be connected to the main dwelling via an internal door. This element of the proposal will integrate reasonably well with the character of the existing dwelling and with the character of the of the area.

Construction of ground floor rear extension.

The ground floor rear extension will project outwards from the building line established by the single storey side element by c.1.5m. The extension will then align with the main rear building line of the existing dwelling. This element of the proposal will integrate reasonably well with the character of the existing dwelling and with the character of the of the area.

First floor extension to front and side.

The first floor extension will span a width of c.2.2m and will project a length of c.8.57m. It will project 820mm forward of the existing main building line of the dwelling and align with the proposed ground floor front extension. The first floor extension will provide for 2 no. bedrooms. There will be 1 no. window inserted at the front and 1 no. window inserted at the rear. There will be no undue overlooking and there will be no significant impact on residential and visual amenity.

New hipped canopy structure over porch and window.

This proposed hipped canopy is considered to integrate reasonably well with the character of the area and with the character of the existing dwelling.

New roof light to front.

This element of the proposal is considered acceptable.

Widen vehicular entrance from 2.95m to 3.5m.

It is proposed to move the pillar to the west further westwards to create a 3.5m wide vehicular entrance. This is considered to be acceptable and is discussed further in the Roads report.

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Parks & Landscaping

The Parks Department have issued a report recommending a grant with **conditions**. An extract taken from the Parks report states the following:

Tree Bond

A tree bond of €1,500 (one thousand five hundred euros) shall be lodged with the Planning Authority to ensure the protection of the existing street trees located in the grass margin during the course of the development works. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the trees proposed for retention are alive, in good condition with a useful life expectancy. CONDITION

REASON: In the interest of the proper planning and sustainable development of the area, street tree protection, and the maintenance of the county's green infrastructure in accordance with relevant policies of the CDP 2022-2028.

2. Protection of Street Tree in Grass Margin

In order to ensure the protection of the existing street tree adjacent to the entrance of this proposed development, suitable tree protection fencing should be installed in order to protect the existing tree during construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection area. CONDITION

REASON: To ensure the safety and well-being of the trees on and adjacent to the subject site that are to remain after building works are completed, in accordance with relevant policies of the CDP 2022-2028.

3. No dig driveway

No work shall commence on site until such time as a method statement for the "No dig" method of driveway construction for the new proposed vehicular entrance has been submitted to the Planning Authority. The existing street immediately adjoining the existing driveway shall be protected from damage as a result of the works on site, to the satisfaction of the Public Realm Section in accordance with it relevant British Standards (e.g., BS5837:2012) for the duration of the development. In the event that the tree become damaged during construction, the Public Realm Section shall be notified, and remedial action agreed and implemented. In the event that the tree dies or is removed without the prior consent of the Public Realm Section, it shall be replaced within the first available planting season, in accordance with details agreed with the Public Realm Section. CONDITION

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REASON: To ensure the safety and well-being of the trees on and adjacent to the subject site that are to remain after building works are completed, in accordance with relevant policies of the CDP 2022-2028.

It is considered appropriate to attach the above **conditions** in the event of a grant.

Access & Parking

A report was received from the Roads Department recommending no objections. 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.

Description:

Garage conversion; Removal of the existing chimney stack; Construction of ground floor extension at rear; First floor extension at front and side of dwelling; New hipped canopy structure over porch and window; New roof light; Widen vehicular entrance and all associated site works.

The applicant proposes to widen the vehicular entrance from 2950mm to 3500mm with new pillar to match existing (930mm height) which is considered acceptable by the Roads Department.

The proposal will not have any impact on the car parking area.

No Roads objections.

Although Roads have not recommended any conditions to be attached, it is considered appropriate to attach standard roads **conditions** in the event of a grant.

Furthermore, the width of the front of the site is 8850mm and the widened vehicular entrance would be 3500mm. This would leave 5350mm outside the site which would be sufficient for one on street car parking space, which is acceptable.

Drainage

No reports were received from Irish Water or Surface Water Drainage, however in the event of a grant of permission for retention it is considered appropriate to attach standard drainage **conditions**.

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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

- Garage conversion and extension measuring c.27.1sq.m.
- No previous exemption.
- 40sq.m. exemption remains
- Assessable area is nil.

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Development Contributions

Planning Reference Number	SD22B/0361
Summary of permission granted & relevant notes:	Residential Extension - 27.1sq.m. No previous extension. Proposed extension and garage conversion.
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)	27.1
Amount of Floor area, if any, exempt (m2)	40
Total area to which development contribution applies (m2)	0
Total development contribution due	€0.00

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – garage conversion and extension	27.1sq.m.
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0237

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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 recommendations and the South Dublin House Extension Design Guide 2010, the development seeking permission would accord with the proper planning and sustainable development of the area.

Recommendation

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

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
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. Parks Requirements.

(a). Tree Bond

A tree bond of €1,500 (one thousand five hundred euros) shall be lodged with the Planning Authority to ensure the protection of the existing street trees located in the grass margin during the course of the development works. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the trees proposed for retention are alive, in good condition and with a useful life expectancy.

(b). Protection of Street Tree in Grass Margin

In order to ensure the protection of the existing street tree adjacent to the entrance of this proposed development, suitable tree protection fencing should be installed in order to protect the existing tree during construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection area.

(c). No dig driveway

No work shall commence on site until such time as a method statement for the 'No dig' method of driveway construction for the new proposed vehicular entrance has been submitted to the Planning Authority. The existing street immediately adjoining the existing driveway shall be protected from damage as a result of the works on site, to the satisfaction of the Public Realm Section in accordance with it relevant British Standards (e.g. BS5837:2012) for the duration of the development. In the event that the tree become damaged during construction, the Public Realm Section shall be notified, and remedial action agreed and implemented. In the event that the tree dies or is removed without the prior consent of the Public Realm Section, it shall be replaced within the first available planting season, in accordance with details agreed with the Public Realm Section.

REASON: In the interest of the proper planning and sustainable development of the area, street tree protection, and the maintenance of the county's green infrastructure in accordance with relevant policies of the CDP 2022-2028. To ensure the safety and well-being of the trees on and adjacent to the subject site that are to remain after building

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works are completed, in accordance with relevant policies of the CDP 2022-2028. To ensure the safety and well-being of the trees on and adjacent to the subject site that are to remain after building works are completed, in accordance with relevant policies of the CDP 2022-2028.

4. Roads requirements.
 - (a). The vehicular access points shall be limited to a maximum width of 3.5 metres.
 - (b). 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.
 - (c). 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.
 - (d). Any gates shall open inwards and not out over the public domain.
- REASON: In the interest of proper planning and sustainable development.

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.

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/0361

LOCATION: 38, Old Bawn Park, Dublin 24



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: 04/10/22_____



Gormla O'Corrain,
Senior Planner