

Comhairle Chontae Atha Cliath Theas

PR/1270/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0152 **Application Date:** 12-Apr-2022
Submission Type: Additional **Registration Date:** 20-Sep-2022
Information

Correspondence Name and Address: Joe Fallon Design 1A, Ryland Street, Bunclody, Co. Wexford

Proposed Development: Construction of a single storey flat roof extension to the rear with 2 rooflights; construction of first floor extension to the side of the dwelling with existing roof hip extended; demolition of existing single storey shed in rear garden; construction of single storey canopy to front door; relocation of existing pedestrian gate to side and all associated site works.

Location: 17, St. Enda's Drive, Rathfarnham, Dublin 14

Applicant Name: Tom & Hilary Norton

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.033 hectares.

Site Description:

The application site contains a two storey, semi-detached / end of terrace house, located on St Enda's Drive in a row of similar dwellings. The surrounding area is residential in nature.

Site visited:

18 May 2022

Proposal:

Permission is sought for alterations the following:

- A single storey flat roof rear extension (44 sq.m)
- First floor side extension with hipped roof (17.5 sq.m)
- Demolition of single storey shed (2.6 sq.m)
- Flat roof canopy over front entrance
- Relocation of pedestrian gate

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Zoning:

The site is subject to zoning objective 'RES' - '*To protect and/or improve residential amenity*'.

Consultations:

Surface Water Drainage – **Further information** recommended

Irish Water – No objection, **conditions** recommended

Roads – No objection

Parks – No objection, **conditions** recommended

SEA Sensitivity Screening

Indicates overlap with SFRA A 2016 and SFRA B 2016.

Submissions/Observations /Representations

Submission expiry date – 16 May 2022

No submissions or objections received.

Relevant Planning History

None recorded for subject site.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Section 11.3.3 Additional Accommodation

(i) Extensions

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

Relevant Government Guidelines

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

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

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Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and Visual Amenity
- Public Realm
- Services, Drainage and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*. A residential extension is 'Permitted in Principle' under this zoning objective.

Residential and Visual Amenity

The proposal comprises a single storey flat roof rear extension, first floor hipped roof side extension, canopy over front door, demolition of rear shed and relocation of pedestrian side gate. No other changes are noted from drawings.

Rear Extension

The rear extension would protrude 5.825m from the existing rear building line of the house. The extension would have a flat roof with two flush rooflights and a window seat and large sliding doors on the northern (rear) elevation. The extension would be the full width of the house and would have a height of 3.88m

The property to the east, directly adjoining the subject site, does not have any rear extension meaning the full impact of the 5.825m extension would be experienced by this neighbour. The depth of the existing dwelling is approximately 8m. As a general rule of thumb, to limit the overbearing impact of extensions, they should not be more than 50% the depth of the existing dwelling. To limit the impact experienced by the neighbouring property to the east, the applicant should be requested to submit revised plans reducing the depth of the extension along the eastern site boundary to no more than 5m. This should be amended through **additional information**.

To the west, there is a side passage of 1.3m width which will be maintained between the subject site and the property to the west which has a rear extension. It is not considered that there will be any significant issues of overbearing or overshadowing experienced by the dwelling to the west.

A garden in excess of 70 sq.m would be maintained to the rear and this is considered acceptable and in compliance with the Development Plan 2016 – 2022.

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Side Extension

A first-floor side extension would be constructed over the existing flat roof former garage. The extension at first floor level would have a hipped roof, extending from the ridgeline of the main dwelling. There is an existing laneway between the dwelling and the neighbouring house to the west, meaning a separation distance of approximately 1.3m will be maintained between the two dwellings. This is in line with the recommendations of the House Extension Design Guide and is therefore considered acceptable. As the two-storey element of the extension will not protrude beyond the rear building line of the main dwelling, it is not considered that the extension will have an overbearing impact on the neighbouring dwellings and therefore additional separation to the site boundary is not considered necessary in this instance.

Windows to match existing fenestration would be placed on the front and rear of the first-floor extension. There are no dwellings located immediately to the rear of the property and therefore there would be no additional impacts of overlooking or loss of privacy.

Based on the above, the first-floor side extension is considered acceptable.

Other Alterations

A timber frame canopy would be placed over the front door, with a flat roof and black/grey zinc cladding. The canopy would project 0.9m from the front building line. The canopy would not impact the length of the driveway which would remain in excess of 6m. This is considered acceptable.

An existing pedestrian gate located along the western site boundary into the shared laneway would be relocated to facilitate the rear extension. This is considered acceptable.

A window on the first-floor rear elevation would be removed to accommodate internal layout changes to the first-floor bathroom. This is considered acceptable.

Public Realm

The Public Realm section have reviewed the application and have stated no objection to the development. They recommend the following **condition** in the event of a grant of permission:

1. *Sustainable Drainage System (SuDS)*

- *The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant shall submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Sample SuDS devices include green roofs, water butts, tree pits, rain gardens, filter strips and permeable paving amongst others. The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.*

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REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective.

This **condition** relates to concerns raised by Water Services, and it is considered appropriate to request a SuDS drawing as **additional information** to ensure the early consideration of these measures in the scheme.

Services, Drainage and the Environment

Water Services has reviewed the application and have recommended the following **additional information**:

- 1.1 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.*
- 1.2 The applicant is required to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*
 - i. At least 5m from any building, public sewer, road boundary or structure.*
 - ii. Generally, not within 3m of the boundary of the adjoining property.*
 - iii. Not in such a position that the ground below foundations is likely to be adversely affected.*
 - iv. 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
 - v. Soakaways must include an overflow connection to the surface water drainage network.*
- 1.3 Should a soakaway prove not to be feasible, then the applicant shall submit the following:*
 - a) Soil percolation test results demonstrating a soakaway is not feasible*
 - b) A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features such as rain garden planter boxes to the rear of proposed development*

It is considered appropriate to request the recommended **additional information** to ensure the adequate provision of SuDS.

Irish Water have reviewed the application and have stated no objection. Their Report states that all works shall comply with Irish Water Standards codes and practices.

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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.

Having regard to:

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

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

Environmental Impact Assessment

Having regard to the modest nature of the 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.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the House Extension Design Guide, the overall design, and scale of the development proposed and internal consultation, it is considered that the following **additional information** should be sought prior to a decision being reached:

- Revised plans and elevations amending the depth of the ground floor extension along the eastern site boundary to no more than 5m
- Drawing showing proposed SuDS measures
- Soil percolation test results, design calculations and dimensions for the proposed soakaway
- Drawing showing plan and cross-sectional views, dimensions, and location of the proposed soakaway
- In the event a soakaway is not feasible, soil percolation tests demonstrating this are required along with a revised surface water layout drainage drawing showing alternative SuDS features.

Recommendation

Request Further Information.

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Further Information

Further Information was requested on 07/06/22

Further Information was received on 20/09/22

Consultations

Water Services – No response received

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. *To limit the impact experienced by the neighbouring property to the east, the applicant is requested to revise their plans, reducing the depth of the extension along the eastern site boundary to no more than 5m and submit revised drawings accordingly.*
2. *The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant shall submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Sample SuDs devices include green roofs, water butts, tree pits, rain gardens, filter strips and permeable paving amongst others. The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.*
3. *There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.*
4. *The applicant is required to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:*
 - i. *At least 5m from any building, public sewer, road boundary or structure.*
 - ii. *Generally, not within 3m of the boundary of the adjoining property.*
 - iii. *Not in such a position that the ground below foundations is likely to be adversely affected.*
 - iv. *10m from any sewage treatment percolation area and from any watercourse / floodplain.*
 - v. *Soakaways must include an overflow connection to the surface water drainage network.*

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Should a soakaway prove not to be feasible, then the applicant shall submit the following:

- a) Soil percolation test results demonstrating a soakaway is not feasible*
- a) A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features such as rain garden planter boxes to the rear of proposed development*

Assessment

The applicant has submitted drawings and reports as requested, date stamped 20th September 2022.

Item 1 – Extension Design

The ground floor rear extension has been amended to a depth of 5m along the northeast and southwest site boundaries. This is considered acceptable.

Items 2, 3 and 4 – Sustainable Urban Drainage Systems (SuDS)

The applicant has provided revised proposals and a report detailing the proposed SuDS measures, including a soakaway, permeable paving and water butts, as well as soil percolation test details. This is considered acceptable.

South Dublin County Development Plan 2022 – 2028

A new Development Plan came into effect for South Dublin on 3rd August 2022. As a result, the development has been reassessed against the plans and policies of this new plan. With regard to house extensions, the development appears to be largely compliant with relevant policies and objectives. There is an increased focus on green infrastructure within the new plan and therefore an additional assessment of the application against these policies and objectives has been undertaken below.

Green Infrastructure

The site appears to be located within the Dun Laoghaire-Rathdown GI Corridor 2. The applicant will increase hardstanding at the site as a result of the rear extension and patio area however, the applicant has proposed to mitigate this by the provision of permeable paving, water butts and a soakaway. This is considered acceptable. A small, grassed area of the rear garden will be lost to the extension area however, this is not considered significant.

Conclusion

The development subject to conditions, is considered to be consistent with the zoning objective 'RES' – 'To protect and/or improve residential amenity', and the relevant provisions in the County Development Plan 2022-2028 and is considered acceptable.

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Other Considerations

Development Contributions

Existing extensions: 16.6 sq.m (garage conversion)

Proposed extensions: 53.65 sq.m

Assessable Area: 30.25 sq.m

Summary of permission granted & relevant notes:	Residential Extension - 53.65 sqm. 16.6 sqm previous extension.
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)	53.65
Amount of Floor area, if any, exempt (m2)	23.4
Total area to which development contribution applies (m2)	30.25
Total development contribution due	€3,160.82

SEA Monitoring Information

Building Use Type Proposed:

Floor Area:

Land Type:

Site Area:

Residential extension

53.65 sq.m

Urban Consolidation

0.033 Hectares.

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Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development 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. It is considered that the proposal would be consistent with Council policy in relation to extensions to dwelling houses.

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 20/09/2022, 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. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €3,160.82 (three thousand one hundred and sixty euros and eighty two cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in

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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.

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 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

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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.

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

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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.


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REG. REF. SD22B/0152

LOCATION: 17, St. Enda's Drive, Rathfarnham, Dublin 14



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: 10/10/22



Gormla O'Corrain,
Senior Planner