

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0366 **Application Date:** 15-Aug-2022
Submission Type: New Application **Registration Date:** 15-Aug-2022

Correspondence Name and Address: Joseph English, JE Architecture Ltd Park House,
Ballisk Court, Donabate, Co Dublin

Proposed Development: Retention Planning permission for a garage
conversion into a granny flat extension to side of
existing house. Planning permission for a single
storey side extension link from house to granny -
flat. Reinstate front boundary wall to remove second
vehicle entrance, finish to match all with associated
ancillary works.

Location: 2, Beverly Avenue, Scholarstown Wood,, Dublin 16,
D16KP52

Applicant Name: Declan Clarke

Application Type: Permission and Retention

(BC)

Description of Site and Surroundings:

Site Area: stated as 0.0366 hectares on application form.

Site Description:

The application site contains a two storey, semi-detached house, located on Beverly Avenue in a row of similar dwellings. The surrounding area is residential in nature. The site is located on the end of Beverly Avenue which is a Cul-de-sac and a row of semi-detached houses of similar character and design. Knocklyon Road is located next to the site and is separated by a boundary wall and green verge. The two-storey element of the house is stepped to the boundary wall on its northern side by a single storey pitched roof dwelling which was formally a garage which has been converted into a granny flat, the subject of the application. The granny flat is aesthetically finished to match the existing brick and roof tile colouring and appearance used on the main dwelling and other dwellings on the Cul-de-sac. The building line of the granny flat is consistent with the main dwelling and uses the same arch type feature that is present on almost all of the houses on Beverly Avenue as a means of accessway to the rear of the dwellings. This archway joins each of the dwellings along Beverly Avenue. It is maintained to join the front façade of the two buildings on site.

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

Proposal:

- Retention Planning permission for a garage conversion into a granny flat extension to side of existing house. (c32sqm)
- Planning permission for a single storey side extension link from house to granny - flat. (2.6sqm)
- Reinstate front boundary wall to remove second vehicle entrance, finish to match all with associated ancillary works.

Zoning:

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

Consultations:

Surface Water Drainage – No report received at time of writing.
Irish Water – No report received at time of writing.
Roads – No objection subject to conditions.
Parks – No objections/conditions
Environmental Health Officer – No report received at time of writing.

SEA Sensitivity Screening - Indicates no overlap with the relevant environmental layers.

Submissions/Observations /Representations

Submission expiry date – 19/09/2022
No submissions or observations were received.

Relevant Planning History

Subject Site:

None recorded for subject site.

Adjacent Sites:

S00B/0736 – 1A Beverly Avenue, Knocklyon, Dublin 16.
Construct a two-storey extension to side of existing 2 storey house.

Grant Permission.

SD21B/0568 - 36, Beverly Avenue, Dublin 16

Retention permission for a single storey extension to the side and rear of the existing semi-detached dwelling with internal alterations; all associated site works.

Grant Permission.

Relevant Enforcement History

None identified for subject site in APAS.

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

Pre-Planning Consultation

None identified on APAS for subject site.

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

Section 6.8.3 Family Flats

Policy H15 - Family Flats

It is the policy of the Council to 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*.

Section 2.6.8 Residential Consolidation

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.

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.

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

Section 6.8.2 Residential Extensions

Domestic extensions allow for the sustainable adaptation of the County's existing housing stock. The South Dublin County Council House Extension Design Guide (2010) supplements the policies and guidance of the Development Plan.

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).

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, (2008).

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and visual amenity
- Water and Drainage Services
- Roads
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The subject site is subject to the zoning objective 'RES' - 'To protect and/or improve residential amenity'. The development of a family flat extension/conversion to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan regarding family flat development and extensions, where the proposal would not otherwise detract from the existing residential amenity of the area.

Residential and Visual Amenity

Retention of garage conversion to granny flat

The proposal for retention includes a single storey garage conversion to granny flat with pitched roof, rooflight and glazing on the rear, side and front elevation. A door is provided on the side (south) elevation of the granny flat conversion, allowing access via the external side passage of the main dwelling. No other external alterations are noted from drawings.

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

The floor space of the conversion is approximately 32sqm and accommodates a living room, lobby and ensuite bedroom and kitchen area. The internal layout of the granny flat is proposed to be altered with the bedroom (14sqm) moving to the front of the extension, bathroom (4.83qm) in the centre of the extension and the kitchen living (14.7sqm) area to the rear of the extension with access from the new internal link to main house. This provides no issues to the planning authority. Section 12.6.8 Residential Consolidation of the development plan states that the overall area of the granny flat should not generally exceed 50% of the floor area of the existing dwelling house. The total floorspace of the buildings on the site is 151sqm (Application form), of which 32sqm equates the granny flat conversion subject to this application. The granny flat does not exceed 50% of the total floor area. Therefore, this element complies with the criteria of the South Dublin County Council Development Plan 2022-2028, Section 12.6.8 Family Flats.

The granny flat is currently not connected directly to the main house. A new 2.6sqm internal access link from the main dwelling house to the granny flat is proposed as part of the application. The ground floor kitchen/living room of the granny flat would be connected directly by an internal access door to the existing house. This would comply with the South Dublin County Development Plan regarding Family Flats, Section 12.6.8 Residential Consolidation (Family Flats).

Section 12.6.8 also states that 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. The granny flat extension would be served by the existing door which is provided on the side (south) elevation which is in compliance with Section 12.6.8. A new door is also proposed in the rear elevation of the development in the new access link. This will allow access to the private/shared open space to the rear and is deemed acceptable.

In relation to the genuine need for a family flat, Section 12.6.8 Residential Consolidation (Family Flats) states that; 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 granny flat in this case is existing and this application seeks retention of use. It is not considered that there would be any harmful impacts of overlooking, overshadowing or loss of light as a result of the retention of this conversion extension. Materials match the existing dwelling, and the rear garden is retained.

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

Based on the above, retention of the extension is considered acceptable.

Single storey side extension link from house to granny flat

The proposed link to the existing house would be located to the rear of the side elevation and measure 2.6sqm in area and include an access door to the rear. The link is proposed to have a flat roof with parapet height c2.8m and join the existing eaves roof line of the existing conversion building. The proposed access link will have no negative impact on the visual amenity of the area and is deemed acceptable.

Reinstate front boundary wall to remove second vehicle entrance

The site currently is accessed by two vehicular access points. It is proposed to reinstate the boundary wall that is located in front of the garage conversion dwelling. The entrance is c2.8m in width. Access to the site would be maintained through an entrance serving the main dwelling c2.8m in width. The reinstated boundary wall is to be matched with existing boundary. This is deemed acceptable and provides no issues to the planning authority.

Water and Drainage Services

There were no reports available from Water Services or Irish Water at the time of writing, but given the size, scale and nature of the proposed development, it is considered appropriate that the standard **conditions** should apply in the event of a grant of permission.

Roads

The Roads department of the council have reviewed the application and have stated no objection. However, in the event of a grant of permission, the following **conditions** should be applied, which are deemed appropriate.

- The vehicular access point shall be limited to a width of 3.5 meters.
- 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.
- 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.

Green Infrastructure

The subject application provides for a relatively small increase in the footprint of the subject retention of garage conversion to granny flat with additional works on an established suburban residential site. The site is located close to the Secondary GI Link: M50-DLR Crosslink as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028).

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

Given the size, scale and nature of the proposed development which will not result in the loss of any hedgerow, trees and or grassland and therefore a full GI Plan is not required for this application.

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 the retention of a garage conversion to granny flat with side extension link to the main dwelling and the reinstatement of boundary wall.

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 and the retention of the granny flat conversion. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Development Contributions

Proposed works	2.6sqm
Retention works	<u>32sqm (Exemption not Applicable)</u>
Total	34.6sqm

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

Planning Reference Number	SD22B/0366
Summary of permission granted & relevant notes:	Retention Granny Flat 32 sq. m. and single storey extension 2.6 sq.m
Are any exemptions applicable?	No
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)	34.6
Amount of Floor area, if any, exempt (m2)	2.6
Total area to which development contribution applies (m2)	32
Total development contribution due	€3,343.68

SEA Monitoring

Building Use Type Proposed: Residential Granny Flat conversion from garage (retention)
 Floor Area: 34.6sqm
 Land Type: Urban Consolidation.
 Site Area: 0.0366 Hectares.

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, it is considered that retention of the development and the development proposed 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.

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

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 & Grant Retention 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 retained and new development proposed to be completed fully in accordance with plans, particulars and specifications lodged with the application, save as may be required by other conditions attached hereto.
REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Restrictions on Family Flat.
A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of an existing dwelling).
(a) The use of the family/granny flat 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 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.

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

(b) 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.

(c) 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.

(d) 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

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

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. Financial Contribution.

The applicant shall pay to the Planning Authority a financial contribution of €3,343.68 (three thousand, three hundred and forty three euro and sixty eight 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.

5. Vehicular access

(a) The vehicular access point 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) 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 interest of public safety and the proper planning and sustainable development of the area, and in order to comply with The Roads Act

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

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.

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.

Comhairle Chontae Atha Cliath Theas

PR/1265/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0366

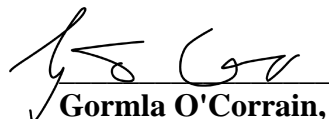
LOCATION: 2, Beverly Avenue, Scholarstown Wood,, Dublin 16, D16KP52



Deirdre Kirwan
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission & Grant Retention 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