

# Comhairle Chontae Atha Cliath Theas

**PR/1289/22**

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

**Reg. Reference:** SD22B/0369      **Application Date:** 18-Aug-2022  
**Submission Type:** New Application      **Registration Date:** 18-Aug-2022

**Correspondence Name and Address:** Cormac Murphy & Associates Architects 162,  
Hampton Cove, Skerries Road, Balbriggan, Co.  
Dublin

**Proposed Development:** Permission sought for revised canopy roof and  
Retention of omissions and changes made to  
previously approved application Ref: SD19B/0196 to  
existing 2 storey dwelling; Works which include  
Omission of (i) first floor extension and main roof  
extended over at side and front of existing dwelling  
(ii) extension to garage on front elevation (iii) bay  
window to sitting room.(vi) rooflight to main roof all  
on North Elevation; In addition to Changes which  
include (v) rendered finish to extension in place of  
timber cladding and photo Voltaic panels on main  
roof all on South Elevation at rear, in addition to  
minor internal and external alterations/ additions and  
associated site works along with Permission Sought  
for reduction in length of canopy roof (at front ) on  
North Elevation.

**Location:** 76, Dodder Park Road, Rathfarnham, Dublin 14

**Applicant Name:** Alan & Ciara Deering

**Application Type:** Permission and Retention

(BC)

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

Site Area: stated as 0.0362 hectares on application form.

### **Site Description:**

The subject site contains a two storey, semi-detached house with a hip pitched roof, located on Dodder Park Road. The surrounding area is residential in nature and is characterised by units of similar architectural design with a relatively uniform building line. A single storey flat roof garage adjoins the dwelling. Dodder Park Road is a tree lined street with grass verge separating the main throughfare from the footpath and entrance/access to the dwellings.

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#### Proposal:

(Works previously approved under SD19B/0196)

- Permission for reduction in length of canopy roof (at front) on North Elevation.
- Retention works including Omission of:
  - First floor extension and main roof extended over at side and front of existing dwelling
  - Extension to garage on front elevation
  - Bay window to sitting room.
  - Rooflight to main roof all on North Elevation;
  - Changes which include
    - Rendered finish to extension in place of timber cladding
    - Photo Voltaic panels on main roof all on South Elevation at rear, in addition to minor internal and external alterations/ additions and associated site works along with Permission Sought for

#### 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

SEA Sensitivity Screening – Overlap identified with SFRA (Strategic Flood Risk Assessment) B 2016.

#### Submissions/Observations /Representations

Submission expiry date – 21/09/2022

No submissions or observations were received.

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### **Relevant Planning History**

#### ***Subject Site:***

SD19B/0196 – 76 Dodder Park Road, Rathfarnham, Dublin 14.

Demolition of single storey (part kitchen) structure at rear of garage; (B) two storey extension at side and front incorporating and converting garage, covered passageway at rear of garage and extending main hipped roof over; (C) canopy roof across front elevation over proposed bay window and front entrance incorporating front hall floor area extended into porch; (D) 3 rooflights located on front (north), side (east) and rear (south) elevations; (E) single storey extension at rear of existing dwelling; (F) widening of vehicular access at front; (G) alterations to house and associated site works.

**Grant Permission.**

#### ***Adjacent Sites:***

SD08B/0484 - 70, Dodder Park Road, Rathfarnham, Dublin 16.

Amendments to works granted planning permission under Reg. Ref. SD07B/1015 consisting of 1 no. two storey extension to right of front elevation forming bay window at ground floor level and rendered blockwork with new window at first floor level with gabled A-pitch roof over plus 1 no. single storey extension to the left of front elevation on ground floor only forming a bay window with 1 no. lean-to "porch" roof over which will extend over dwelling entrance, and all associated site works.

**Grant Permission.**

SD05B/0087 - 99, Dodder Park Road, Rathfarnham, Dublin 14.

Retention of garage conversion at side and conservatory at rear and side and proposed attic conversion with dormer hip window for stairs.

**Grant Permission and Grant Retention.**

SD08B/0723 - 68, Dodder Park Road, Rathfarnham, Dublin 14.

Demolition of an existing single-storey flat roof extension to the side of an existing two-storey dwelling and the construction of a two-storey hipped roof extension with A-pitched roof to front elevation. Works will also include an attic conversion with dormer to rear, internal alterations, single-storey front porch and all associated site works.

**Grant Permission.**

### **Relevant Enforcement History**

None identified for subject site in APAS.

### **Pre-Planning Consultation**

None identified on APAS for subject site.

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

#### *6.8.2 Residential Extensions*

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

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

#### *12.10.4 Solar Photovoltaic*

- *Buildings Development proposals for solar energy development on buildings must, unless feasibility is otherwise demonstrated:*
- *Prioritise south facing aspects and have an inclination of between approximately 35 and 50 degrees depending on the use of solar PV or solar thermal technologies;*
- *Be designed to take account of over-shadowing from other solar installations on site, from existing elements of the built environment such as chimneys, parapets, roof plant equipment and taller buildings and structures in the immediate vicinity;*
- *Ensure sufficient space for access, installation and maintenance;*
- *Ensure that the siting and design of proposals have regard to the visual amenities of the surrounding area;*
- *Consider the provisions of the Water Framework Directive, Habitats Directive and other environmental and built heritage issues and glint and glare near airports*

#### **Policy GII: Overarching**

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

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

*All development proposals shall be accompanied by a Green Infrastructure Plan, which will normally be submitted as part of the suite of Landscape Plans that are required for a development.*

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

### Side Extensions

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.*

### Front extensions

- *Keep the extension simple and complementary to the style of the house by reflecting the style and details of the main house, e.g., window location, shape, type, proportion and sill details.*
- *Reflect the roof shape and slope of the main house.*
- *Match or complement the materials used in the main house.*
- *Try to maintain a minimum driveway length of 6m.*
- *Avoid extensions that are dominant or overlarge in relation to the scale and appearance of the house.*
- *Avoid building an extension more than 1.5m in front of the existing front wall of the house if there is a regular building line along the street.*

### Porches

- *A porch with a solid appearance (i.e., a greater proportion of brickwork or render to glazing) and a steeply pitched roof will usually be more appropriate for older houses and those of a more traditional design which have pitched roofs of 45° or more.*
- *A simple porch structure with a more lightweight appearance (i.e., a greater proportion of glazing to brickwork or render) and either a flat roof or a shallow pitch of 30° or less will be appropriate for a modern house with either a flat or shallow pitch roof and strong horizontal lines e.g., wide windows.*
- *Where a house has an arched or other distinctly decorative entrance, it is best to design a porch structure that will enhance and reveal rather than obscure it.*
- *Avoid the use of fussy decorative details and features not typical of the house.*

### Overlooking and loss of privacy

- *Where a new window could result in overlooking or loss of privacy to neighbouring properties, consider alternative design solutions (but always ensure the design complies with necessary fire regulations)*
- *reposition the window so it is not facing directly into a window in the adjoining property,*
- *insert a high-level window with a sill level of 1.7m or higher above the internal floor level of the room,*

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- *use angled windows with directional views*
- *if the window is at ground floor level, provide a fence or wall to screen it.*

### **Relevant Government Guidelines**

*Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment 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, (2008).*

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

### **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'. A residential extension would accord with this zoning in principle.

### ***Residential and Visual Amenity***

Retention of omission of first floor extension and main roof extended over at side and front of existing dwelling

The proposal for retention of omissions of the first floor and main roof extension over garage from the main dwelling house will omit internal rooms of a bedroom and bathroom. The side extension under the permitted development (SD19B/0196) would have joined the first-floor level with the neighbouring property number 78 (first floor development over garage and hipped roof profile). The properties are currently adjoining at ground floor level with the garage. The omission of the first floor and roof extension will not have a negative impact on the character of the street or on the visual amenity of the neighbouring dwelling and is deemed acceptable.

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### Omission of extension to garage on front elevation

The original proposal that was permitted allowed for the extension forward of the front building line of the garage element of the dwelling on ground and first floor level. This was permitted to extend by 1.1m from the front building line at a width of c3.2m before recessing back to the existing building line of the dwelling. Evidence of such extensions are evident in the surrounding area; however, the omission of this element is deemed acceptable as the original building line remains intact with matching material finish to the main dwelling.

### Omission of bay window to sitting room

The original proposal permitted the construction of a bay window to the front elevation of the building to extend the front building line for a width of c2.3m by 0.750m with pitched roof canopy over. The omission of the bay window and maintaining the existing window which maintains the front building line is acceptable and provides no issue to the local authority.

### Omission of rooflight to main roof on north elevation

The omission of rooflight on the main roof on the front elevation (north) is acceptable to the local authority.

### Change to rendered finish in place of timber cladding on south elevation on rear

The change from timber cladding (western red deal cladding) to a render finish is acceptable to the planning authority provided it matches the render of the existing dwelling. This can be achieved by way of **condition**.

### Photo Voltaic panels on main roof south elevation

7 photo voltaic panels are proposed for retention on the rear (south) elevation of the dwelling. The top 3 panels cover an area of c2.7m and the lower 4 panels located beneath are a width of c3.7m with adequate separation distances from the adjoining dwelling No.74. Section 2.10.4 of the CDP sets policy standards for Solar Photovoltaic uses on buildings. The panels prioritise the south facing aspect and do have an inclination of between approximately 35 and 50 degrees in keeping with the section 2.10.4. The panels located to take account of over-shadowing from existing elements of the built environment such as chimneys, parapets in the immediate vicinity and are situated satisfactorily to ensure that the siting and design of proposals have regard to the visual amenities of the surrounding area. The retention of the photo voltaic panel would be in compliance with section 2.10.4 and is deemed acceptable.

### Other minor internal and external alterations/additions

Other internal/external alteration which include the repositioning of the two windows on side (east) elevation, Drawing No.10 Section C-C, that face onto the side passageway and the length of the covered canopy on the side passageway are acceptable and provide no issue to the planning authority.

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### Permission for revised canopy roof on north elevation

Permission is sought for the addition of a canopy over the garage and main entrance doorways to the dwelling. The canopy would be c2.5m in height for a width of c5.4m with a hipped roof profile. The canopy is proposed to be finished with selected rooftiles. The drawings do not specify if the tile will match existing, however this can be achieved by way of **condition** if permission is granted. The proposal is visually similar to the canopy granted permission under SD19B/0196) over the proposed bay window and main entrance door and canopies/porches noted in the surrounding area.

Overall, the proposed development and retention of the omissions and changes made to the previously approved permission would not seriously injure the visual or residential amenities of the area.

### *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 subject to **conditions**. This has been noted and deemed acceptable.

### *Green Infrastructure*

The subject application provides for a relatively small increase in the footprint of the subject application on an established suburban residential site. The site is located on the Primary GI Corridor: Dodder River Corridor 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).

Given the size, scale and nature of the proposed development which will not result in the significant loss of hedgerow, trees and or grassland, 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 permission and retention of omissions and changes to the previously approved application SD19B/0196.

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,



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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 omissions and changes previously approved. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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### *Development Contributions*

Proposed works/retention 39sqm

<b>Planning Reference Number</b>	SD22B/0369
<b>Summary of permission granted &amp; relevant notes:</b>	Omission of (i) first floor extension and main roof extended over at side and front of existing dwelling (ii) extension to garage on front elevation (iii) bay window to sitting room.(vi) rooflight to main roof all on North Elevation; Changes include (v) rendered finish to extension in place of timber cladding, photo Voltaic panels on main roof on South Elevation at rear, Permission Sought for reduction in length of canopy roof (at front ) on North Elevation.
<b>Are any exemptions applicable?</b>	N/A
<b>If yes, please specify:</b>	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.
<b>Is development commercial or residential?</b>	Residential
<b>Standard rate applicable to development:</b>	104.49
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€104.87
<b>Area of Development (m2)</b>	0
<b>Amount of Floor area, if any, exempt (m2)</b>	39sqm
<b>Total area to which development contribution applies (m2)</b>	0
<b>Total development contribution due</b>	€0.00

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#### *SEA Monitoring*

**Building Use Type Proposed:** Residential – permission and retention of omissions and changes to previously approved application.

**Floor Area:** 39sqm

**Land Type:** Urban Consolidation.

**Site Area:** 0.0362 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 omissions/changes to 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.

#### 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 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 including rooftiles over canopy shall harmonise in colour or texture that is complementary to the house or its context.

REASON: In the interest of visual amenity.

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**(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 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

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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.

3. 1. 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.
2. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

REASON: In the interests of pedestrian and traffic safety.

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

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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.

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REG. REF. SD22B/0369

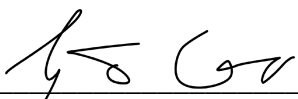
LOCATION: 76, Dodder Park Road, Rathfarnham, Dublin 14



**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:** 12/10/22

  
**Gormla O'Corrain, Senior Planner**