

Comhairle Chontae Atha Cliath Theas

PR/1329/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0091 **Application Date:** 01-Mar-2022
Submission Type: Additional **Registration Date:** 27-Sep-2022
Information

Correspondence Name and Address: Desmond J Halpin 15 Carriglea Drive, Firhouse,
Dublin 24

Proposed Development: Single storey extension with tiled roof to the front &
first floor extension with a tiled roof over existing
rear extension to the existing two storey end of
terraced dwelling with alterations to existing rear
extension tiled roof; new high level window in
existing gable wall structure; internal alterations &
associate site.

Location: 192, Castle Park, Dublin 24

Applicant Name: Caroline Cummins

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 124.88 sqm (0.012488 hectares).

Site Description:

The application site contains a two storey, end of terrace house, located on Castle Park. The surrounding area is residential in nature

Site visited:

5 April 2022

Proposal:

Permission is sought for the following:

- Single storey, hipped roof front extension (measured from drawings 7.35 sq.m)
- First floor rear extension over existing single storey rear extension (measured from drawings 10.36 sq.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 – **Additional information** recommended

Irish Water – **Additional information** recommended

SEA Sensitivity Screening

No overlap with layers indicated

Submissions/Observations /Representations

Submission expiry date – 04/04/2022

1 submission / objection received including as follows:

- Incorrect foul and surface water details
- No details on proposed soakaway
- Extension out of character with the area and would overshadow neighbouring dwelling
- Lack of consent for groundworks outside of property boundary
- No increase in parking
- Dimensions not included on drawings

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*

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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).

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and visual amenity
- 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 includes construction of a single storey front extension and first floor rear extension over existing single storey rear extension. A window serving the new first floor bathroom would be located on the southern elevation. No other changes are noted from drawings.

Front extension

The front extension would extend approximately 1.6m (measured from drawings) from the front building line of the main dwelling and would span the full width of the property. The extension would have a hipped roof and would provide for an extended hallway and front living room, providing an additional 7.35 sq.m at ground floor level. The property does not have a driveway. It should be noted that no dimensions have been included on floor plans, so all measurements are taken as measured based on the scale provided. A control measurement has not been provided to confirm accuracy.

The House Extension Design Guide recommends front extensions do not protrude more than 1.5m from the front building line of dwellings. In this regard the applicant should be requested to submit revised plans clearly showing that the extension is no greater in depth than 1.5m. This should be submitted as **additional information**.

Rear extension

The rear extension would be constructed over an existing ground floor extension, protruding approximately 3.1m from the rear of the main dwelling (measured from drawings). The

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extension would have a pitched roof, with a gable on the rear elevation. Two windows would be placed on the rear elevation. As there are no opposing dwellings directly behind the existing property (there are dwellings at right angles to the rear of the application site), there would be no concern about harmful overlooking as a result of these windows and a separation distance well in excess of 22m would be achieved.

The extension would be constructed up to the southern site boundary and within 1.4m of the northern site boundary. The House Extension Design Guide recommends 1m separation distance is achieved per 3m in height gained. By this measure, a separation distance of 2m, at a minimum, should be provided to the northern site boundary, on the basis the extension would have a maximum height of 6.5m. The applicant should be requested to amend the proposal, providing a minimum of 2m to the northern site boundary, and submit revised plans as **additional information**. Although there are dwellings to the rear of the site at right angles, there are no dwellings directly opposing to the south of the property and therefore a separation distance to this boundary is not considered necessary.

The neighbouring dwelling to the north has a ground floor extension and in this regard it is not considered that the two-storey extension (inset by 2m) would impact significantly on light to this existing extension. When applying the 45-degree rule, if a suitable separation distance was achieved, the impact on daylight to first floor windows is not considered to be significant.

The southern elevation of the dwelling fronts a cul-de-sac with limited passive surveillance. It is noted that a window serving the bathroom would be located on this elevation. For privacy and amenity, a condition should be included in the event of a grant requiring this window to be obscured glazing. The extension at this location provides an opportunity to improve passive surveillance and a window should also be included on the southern elevation of the two-storey extension, serving the proposed bedroom. Revised plans and elevations including a window on this elevation should be submitted as **additional information**.

Services, Drainage and the Environment

Water Services have 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:*

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- 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:

- i. *Soil percolation test results demonstrating a soakaway is not feasible*
- ii. *A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features*

1.4 The applicant shall include Water Butts as part of additional Sustainable Drainage Systems (SuDS) measures for the proposed development.

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

2.1 The proposed development is approximately 2m from a 6" uPVC public watermain located to the south of the site. Irish Water Standard Details for water Infrastructure require 3m clear distance from a main of this size. The applicant shall engage with Irish Water's diversions section to assess feasibility of existing design and an alternative design which accommodates Irish Water's minimum required separation distances from public infrastructure. The outcome of this engagement with Irish Water's diversions shall be submitted to the planning authority as a response to Request for Further Information.

It is considered appropriate to request the above by way of **additional information** to ensure adequate provision of SuDS measures and ensure compliance with Irish Water Standard Details.

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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

Additional information should be sought in relation to the following:

- Drawings are required clearly showing that the front elevation would not protrude more than 1.5m from the front building line of the main dwelling
- The separation distance to the northern site boundary at first floor level is not considered acceptable. The applicant should submit revised proposals showing a separation distance of 2m, as a minimum, to the common site boundary to the north.
- Revised plans and elevations shall be submitted including a window on the southern elevation of the first floor rear extension
- Report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
- Revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway
- In the event a soakaway is not feasible, the following will be required:
 - Soil percolation test results demonstrating a soakaway is not feasible
 - A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features
- Plan showing Water Butts as part of additional Sustainable Drainage Systems (SuDS) measures for the proposed development.
- The applicant should be invited to address the concerns raised in submissions to the Planning Authority

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Recommendation

Request Further Information.

Further Information

Further Information was requested on 22/04/22

Further Information was received on 27/09/22

Consultations

Water Services – No response

Irish Water – No response

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. *The applicant is requested to submit revised plans and elevations, clearly showing that the front extension does not protrude more than 1.5m from the front building line. In submitting revised plans, the applicant is encouraged to include key dimensions, both internal and external, to assist the Planning Authority in completing a full and accurate assessment of the proposal.*
2. *The separation distance to the northern site boundary at first floor level is not considered acceptable. The applicant should submit revised proposals showing a separation distance of 2m, as a minimum, to the common site boundary to the north. In submitting revised plans, the applicant is encouraged to include key dimensions, both internal and external, to assist the Planning Authority in completing a full and accurate assessment of the proposal.*
3. *Revised plans and elevations shall be submitted including a window on the southern elevation of the first floor rear extension, serving the bedroom. This window shall be clear glazed and would assist in providing passive surveillance of the cul-de-sac to the south of the dwelling.*
4. *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.*
5. *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.*

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- 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.*

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

- i. *Soil percolation test results demonstrating a soakaway is not feasible*
 - ii. *A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features*
6. *The proposed development is approximately 2m from a 6" uPVC public watermain located to the south of the site. Irish Water Standard Details for water Infrastructure require 3m clear distance from a main of this size. The applicant shall engage with Irish Water's diversions section to assess feasibility of existing design and an alternative design which accommodates Irish Water's minimum required separation distances from public infrastructure. The outcome of this engagement with Irish Water's diversions shall be submitted to the planning authority as a response to Request for Further Information.*
7. *The applicant is required to submit a plan showing Water Butts as part of additional Sustainable Drainage Systems (SuDS) measures for the proposed development.*

Assessment

The applicant has provided a response to the additional information request, date stamped 27th September 2022.

Item 1 – Front Extension

The applicant has submitted revised drawings providing measurements for the ground floor extension. The drawing indicates that the front extension would protrude 1.5m from the front building line. This is considered acceptable, and the applicant should note that any extension beyond this depth would not be in compliance with the submitted plans.

Items 2 and 3 – First Floor Rear Extension

The first-floor rear extension has been amended to step in 2m from the northern site boundary. An additional window has also been provided at first floor level on the southern elevation, serving the bedroom. These alterations are considered acceptable.

Items 4 and 5 – Soil Percolation Tests and Soakaway

The applicant states in their cover letter that an underground survey should all services has been undertaken. This was not requested and does not address the requirements of Items 4 and 5 of the request.

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The applicant has not provided soil percolation tests results or details of a soakaway or other proposed SuDS methods. The applicant has stated in their cover letter that '*We ask the planning authority to accept that there will be permeable paving in the rear garden and front garden.*' This is not indicated on drawings. In this regard the response does not adequately address the additional information request. A **condition** should be attached in the event of a grant requiring these items of additional information to be submitted and agreed with the Planning Authority prior to the commencement of development.

Item 6 – Irish Water

Irish Water have not provided a response to the additional information however, when measured from drawings it is clear that no development comes within 3m of the 6" uPVC public watermain located to the south of the site, or any other relevant Irish Water infrastructure. In this regard, the development is considered acceptable and would not impact existing services or infrastructure in the area.

Item 7 – Water Butts

It is not clear where a water butt has been included on the site layout or drainage plan. The inclusion of a water butt should be required by **condition**.

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 a Core Area and Secondary GI Link, as per figure 4.4 of the Development Plan 2022 – 2028. The development will marginally increase the floorplate of the dwelling at the front, with the rear extension located at first floor level not increasing hardstanding to the rear. These increases are not significant.

The applicant was requested to provide **additional information** in relation to the provision of a soakaway at the site or other Sustainable Urban Drainage Systems (SuDS). It is not considered that the applicant has satisfactorily responded to this request and should therefore be required to submit this information by **condition**.

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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.

Other Considerations

Development Contributions

Existing Extension: 15.54 sq.m
Proposed Extension: 13.07 sq.m

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)	13.07
Amount of Floor area, if any, exempt (m²)	13.07
Total area to which development contribution applies (m²)	0
Total development contribution due	€0.00

SEA Monitoring Information

Building Use Type Proposed: Residential extension
Floor Area: 13.07 sq.m
Land Type: Urban Consolidation
Site Area: 0.012 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 as amended by Further Information received on 27/09/2022, 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. (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

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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 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

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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. Amendments - Glazing.

The following amendment to the design shall be carried out:

The bathroom window on the southern elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity. The additional window serving the bedroom on the southern elevation shall be fitted with clear glazing which shall be maintained in perpetuity.

REASON: In the interest of residential amenity.

4. Sustainable Urban Drainage

The applicant has not provided sufficient information in relation to the additional information request. Prior to the commencement of development the applicant shall submit the following for the written agreement of the Planning Authority:

A. There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant shall 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.

B. The applicant shall 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.

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

- i. Soil percolation test results demonstrating a soakaway is not feasible

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ii. A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features

D. The applicant shall provide Water Butts as part of additional Sustainable Drainage Systems (SuDS) measures for the proposed development.

REASON: To ensure the adequate provision of SuDS at the site

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: 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/0091
LOCATION: 192, Castle 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: 24-10-22



Gormla O'Corrain, Senior Planner