

# Comhairle Chontae Atha Cliath Theas

**PR/1392/22**

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

**Reg. Reference:** SD22B/0250      **Application Date:** 01-Jun-2022  
**Submission Type:** Additional      **Registration Date:** 17-Oct-2022  
Information

**Correspondence Name and Address:** Ms. Kate O'Daly, O'Daly Architects 12, Garville Road, Rathgar, Dublin 6

**Proposed Development:** The proposed development includes the demolition of an existing single-storey extension and construction of a part-single-storey, part two-storey extension to the rear of 5 Ellensborough Lawn, Kiltipper, Dublin 24, D24 N2RF. the extension is to be flat roofed with a parapet, with a rooflight over the ground floor part. The finish of an extension will be white sand and cement render. The proposal includes associated site works.

**Location:** 5, Ellensborough Lawn, Kiltipper Road, Tallaght, Dublin 24

**Applicant Name:** Alan Merriman & Angela Gaffney, Alan Merriman & Angela Gaffney

**Application Type:** Permission

(NM)

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

Site Area: as stated 0.0206 Hectares.

#### Site Description:

The application site is located in a residential estate off the Kiltipper Road. The subject property is a two storey, semi-detached dwelling with a hip pitched roof turning to a front gable pitch. The area is characterised by units of similar design and character with a relatively uniform building line.

### **Proposal:**

The proposal consists of:

- Demolition of an existing single-storey extension and construction of a part-single-storey,
- Part two-storey extension to the rear. The extension is to be flat roofed with a parapet, with a rooflight over the ground floor part. The finish of an extension will be white sand and cement render. The proposal includes associated site works.

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- Total area of works is 31.8sqm

### **Zoning:**

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity.'

### **Consultations:**

Surface Water Drainage – No report received

Irish Water – No report received

### **SEA Sensitivity Screening**

No overlaps with any relevant layers.

### **Submissions/Observations /Representations**

No submissions received.

### **Relevant Planning History**

#### **Subject Site:**

None.

#### **Adjacent Sites:**

SD16B/0236 - 44, Ellensborough Close, Tallaght, Dublin 24 - **Permission Granted** for single storey extension to front and rear of property, single storey extension with part 2 storey to side of property also to include 2 dormer windows at existing roof level comprising of 1 at side and 1 at rear of property.

SD16B/0152 - 1, Ellensborough Downs, Kiltipper, Tallaght, Dublin 24 – **Permission Granted** for new two storey extension to side and a new single storey extension to rear; conversion of attic to useable space; alteration of main roof by removal of hip and building upside gable wall to form an 'A' roof; insertion of flat roof dormer window in roof to rear.

### **Relevant Enforcement History**

None on record.

### **Pre-Planning Consultation**

None on record.

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

#### *Section 2.4.1 Residential Extensions*

#### **Policy H17 – Residential Consolidation:**

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H17 Objective 1: To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

#### *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.

#### *Policy H18 Objective 2:*

- 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 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

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

#### *Rear Extensions:*

- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Make sure enough rear garden is retained.*
- *Do not create a higher ridge level than the roof of the main house.*
- *The roofline of large extensions to the rear of single storey bungalows should not be visible from public view to the front or to the side of the bungalow.*

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### **Relevant Government Guidelines**

*Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas*, Department of the Environment and Local Government (2009).

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

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

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity,
- Drainage,
- Screening for Appropriate Assessment
- Environmental Impact Assessment

### ***Zoning and Council Policy***

A development comprising of a rear ground and first floor extension would be consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity,' subject to the relevant provisions in the County Development Plan 2016-2022 and the House Extension Design Guide.

### ***Residential & Visual Amenity***

#### ***Residential***

The proposed development consists of 31.8sqm of new residential amenity space to the rear of the existing dwelling, 20.6sqm of which is an existing single storey pitch roofed area to be demolished.

The ground floor extension has a ridge height of 3.65m to top of parapet which is lower than the existing rear single storey section and would not be overbearing or result in excessive overshadowing of the neighbouring units to the west or east. It would protrude approximately 5.58m from the existing southern elevation and span the entire width of same at approximately 6.2m. The private rear amenity garden space will amount to 41.23sqm following development which is aligned with the South Dublin County Council Development Plan 2016 - 2022 and the South Dublin County Council House Extension Guide (2010).

The first-floor rear extension incorporates windows that are longer than the existing but retain the same width and are positioned similarly which is considered appropriate. It should be noted that there is a distance of approximately 21m to the rear first floor windows of number 8 Ellensborough Lawn which is deemed acceptable although typically a distance of 22m is

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preferred as per the House Extension Guide. The proposed extension spans the entire width of the property and there will be an acceptable distance to No.3 to the east of the application site but abuts the boundary of No.7 to the west. The House Extension Guide states "*Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved*". The proposed development does not achieve this standard and therefore **additional information** is required to identify how this can be resolved.

### *Visual*

The application identifies a parapet on 1<sup>st</sup> floor extension which rises past the eaves of the existing dwelling which is regarded as unacceptable to the Planning Authority as it sits unharmoniously with the surrounding dwellings in the immediate vicinity and **additional information** is required to demonstrate how a more sympathetic design approach can be achieved. The external rendering matches that of the existing dwelling with the external doors set back to form a timber-lined covered area at ground floor level which allows for a contemporary design element whilst retaining the properties character and therefore considered acceptable.

### *Conclusion*

Overall, the ground floor extension is consistent with the South Dublin County Council House Extension Guide (2010) and should not seriously injure the visual or residential amenity of the area, but additional information is required to address the issues for the first-floor rear extension.

### *Drainage*

There were no reports from Irish Water or Water Services, but it should be noted that there are no surface water drainage provisions indicated such as a soakaway and no indication of SuDS treatments for the proposed development and details of same including drawings should be sought as **additional information**.

### *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 ground and first floor 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.

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### ***Environmental Impact Assessment***

Having regard to the modest nature of the 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.

### ***Development Contributions***

#### **Development Contributions Assessment Overall Quantum**

Proposed Rear Extension:	31.8sqm
Demolition:	20.6sqm
Previous Extensions:	0sqm
Assessable Area:	0sqm

### **SEA Monitoring Information**

Building Use Type Proposed:	
Floor Area:	31.8sqm
Land Type: Urban Consolidation.	
Site Area:	0.0206 Hectares.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development proposed it is considered that, additional information is required from the applicant to address the issues highlighted in this report.

**Recommendation:** Request further information.

Further Information requested on 26<sup>th</sup> July 2022.

Further Information received on 17<sup>th</sup> October 2022.

### **Consultations:**

*Water Services* – No report received

*Irish Water* – No report received

### **Planning Note**

The proposed development was initially assessed under the South Dublin County Council Development Plan 2016 – 2022. Since the 3<sup>rd</sup> of August 2022, all applications including the Additional Information as submitted for the proposed development has been assessed under the South Dublin County Development Plan 2022-2028.

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### Assessment of Further information

#### Item 1:

##### *Design Elements*

*There are concerns with the projection of the proposed first floor rear extension and its proximity to the attached dwelling. The applicant is requested to inset the first floor rear extension from the common boundary with the attached dwelling to 1m for every 3 metres of height. Revised drawings should be submitted accordingly and should include removal of the parapet.*

##### **Assessment**

The applicant submitted the following:

- Drawing No: ELL-P-FI-03 – Proposed Plans
- Drawing No: ELL-P-FI-05 – Proposed Elevations
- Drawing No: ELL-P-FI-06 – Proposed and Existing Sections
- Further Information Cover Letter

The applicant has submitted revised drawings indicating a revised hip-pitched roof over the proposed first floor rear extension that sits behind the angle of the hip-pitched roof of the existing dwelling and is therefore **acceptable**.

Furthermore, the applicant has inset the proposed first floor extension from the common boundary wall by approximately 1m. This in combination with the change in roof type would mitigate any overshadowing and decrease the unwanted sense of enclosure for the occupant of the attached property to the west and is therefore **acceptable**.

#### Item 2

##### *Water and SUDS*

*The applicant has indicated no surface water drainage provisions such as a soakaway and no indication of SuDS treatments for the proposed development and details of same including drawings should be submitted.*

##### **Assessment**

The applicant submitted the following:

- Surface Water Report
- Drawing No: 22034-30-DR-0101 – Proposed Site Drainage Layout
- Drawing No: 22034-30-DR-0102 – Typical Soakaway Pit Detail
- Further Information Cover Letter

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No report was received from the Drainage Department. The applicant has confirmed that they have included a soakaway as part of the revised proposed development and given the scale and size of the development, it is considered that the information as submitted sufficiently addresses the requirements of the Additional Information request and is therefore considered **acceptable subject to conditions**.

### Development Contributions

<b>Planning Reference Number</b>	SD22B/0250
<b>Summary of permission granted &amp; relevant notes:</b>	Residential Extension - 31.8sqm. No previous extension.
<b>Are any exemptions applicable?</b>	Yes
<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>	€104.49
<b>Area of Development (m2)</b>	31.8
<b>Amount of Floor area, if any, exempt (m2)</b>	40
<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 Information**

Building Use Type Proposed: Residential- Extension  
Floor Area: 31.8sqm  
Land Type: Brownfield/Urban Consolidation.  
Site Area: 0.0206ha

### **Conclusion**

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028 and the overall design and scale of the development proposed it is considered that, subject to the 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.

### **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 17/10/2022, , 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.

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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.

**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.

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REG. REF. SD22B/0250

LOCATION: 5, Ellensborough Lawn, Kiltipper Road, Tallaght, 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:** 07/11/22\_\_\_\_\_

  
\_\_\_\_\_  
**Gormla O'Corrain,**  
**Senior Planner**