

Comhairle Chontae Atha Cliath Theas

PR/1423/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0416 **Application Date:** 20-Sep-2022
Submission Type: New Application **Registration Date:** 20-Sep-2022
Correspondence Name and Address: John Shannon 5, Island View, Kilrush, Co. Clare,
V15 RR72
Proposed Development: Retain existing two storey flat roof extension
including parapet at rear of house including existing
first floor rear window (with obscure glass).
Location: 5, Glenmaroon Park, Dublin 20
Applicant Name: Karin Óg Flanagan
Application Type: Retention

(NM)

Description of Site and Surroundings:

Site Area

Stated as 0.033 Hectares.

Site Description

The application site is located on Glenmaroon Park close to the R148 and the N4/M50 interchanges. The area is predominantly residential in nature with dwellings of similar architectural design and with a relatively uniform building line. The subject property is a semi-detached two storey dwelling with a hip-pitched roof.

Proposal:

The development will consist of:

- Retention of an existing two storey flat roof extension including parapet at rear of house including existing first floor rear window (with obscure glass).
- Total area of works 33.7sqm.

Zoning:

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

Consultations:

Irish Water - No report received at time of writing.

Water Services – No report received at time of writing.

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Roads Department – No objections or additional comments.

Parks Department – No objections or additional comments.

SEA Sensitivity Screening

No overlap with relevant layers.

Submissions/Observations /Representations

One submission received which can be summarised as follows:

- Overlooking of private amenity space.
- Visually injurious.
- Enforcement issued to remove parapet which was not adhered to.

The submission has been reflected throughout the report.

Relevant Planning History

Subject Property

None.

Adjacent sites:

SD16B/0325 - 17 Glenmaroon Park, Palmerstown, Dublin 20 – **Permission Granted** for removal of existing pitched roof at ground floor to the front, side and rear of existing dwelling and in its place the construction of a parapet finished flat roof with roof glazing, including an extension to the rear ground floor.

SD08B/0782 - 8, Glenmaroon Park, Palmerstown, Dublin 20 – **Permission Granted** for two storey extension to the rear of the existing dwelling consisting of 12sq.m. at ground floor level and 12sq.m. at first floor level and all associated site and development works.

Relevant Enforcement History

S8775 - Erection of a 2 storey extension which may not be considered exempt – **Live File.**

Pre-Planning Consultation

None.

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

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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).

Policy G11: Overarching

G11 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.

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

Section 12.5.8 Residential Consolidation

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.

National Guidelines & Policy relevant to Development Management

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

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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).

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 are

- Zoning and Council Policy
- Residential and Visual Amenity
- Drainage
- Roads
- Parks
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

A development comprising of a two-storey rear 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 **2022-2028** and the House Extension Design Guide.

Residential and Visual Amenity

The development for retention is a two-storey rear extension consisting of approximately 24sqm at ground floor level and 9.7sqm at 1st floor level.

The ground floor extension protrudes approximately 4.83sqm from the rear wall of the main dwelling and extends the entire width with a ridge height of approximately 3.4m and a further canopy area of approximately 700mm which is **acceptable**. Furthermore, the contemporary nature of the ground floor extension is consistent with the overall design approach and is visually **acceptable**. There is sufficient rear amenity space following the ground floor extension also.

Overall, the ground floor extension for retention is acceptable.

Schedule 2, Article 6, (Exempted Development) Class 1 (4)(c) of the Planning and Development Regulations 2001 states:

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“In the case of a flat roofed extension, the height of the highest part of the roof may not exceed the height of the eaves or parapet of the original house. In any other case, no part of the new roof may exceed the highest part of the roof of the house.”

The first-floor extension for retention protrudes past the eave's height substantially by approximately 0.848m which is **unacceptable**. Furthermore, the parapet is observable from the street and is visually jarring and not consistent with the House Extension Design Guide. The applicant should be requested to remove the parapet of the first-floor extension, and this should be attached as a **condition** in the event of a grant of permission.

The first-floor extension protrudes approximately 4.1m from the existing rear wall. The distance between the opposing first floor rear window of No. 82 was approximately 20m prior to construction and this was reduced to approximately 16m as a result of the development proposed for retention. The applicant has attempted to mitigate the potential for overlooking by installing obscured glass but this is contrary to the provisions of the County Development Plan and the House Extension Design Guide which states under Section 4, *“Do not use opaque or frosted glass in windows to habitable rooms.”* The first-floor room is used as a bedroom although, the distances between the dwellings is not to the requisite standards, it is deemed acceptable in this instance. Notwithstanding this, a **condition** should be attached in the event of grant of permission requiring the removal of the obscured glazing.

Overall, the proposed development for retention is acceptable subject to conditions.

Drainage

No report was received from Water Services or Irish Water at the time of writing. A **condition** regarding the appropriate treatment of surface water drainage and the provision of Sustainable urban Drainage Systems (SuDS) should be attached in the event of a grant of permission. The proposed development is not located within an unacceptable distance of existing Irish Water infrastructure as per the Irish Water maps.

Roads

The Roads Department have no concerns over the proposed development for retention.

Parks

The Parks Department have no concerns over the proposed development for retention.

Green Infrastructure

The subject application provides for a relatively small increase in the footprint of the subject house on an established suburban residential site. The site is not located within a Primary GI Corridor or a Secondary GI Link 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).

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Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is **not required**.

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 two-storey rear 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 (EIAR)

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

Planning Reference Number	SD22B/0416
Summary of permission granted & relevant notes:	Residential Extension – 33.7sqm. No previous extension.
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

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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)	33.7
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	33.7
Total development contribution due	€3,521.31

SEA Monitoring Information

Building Use Type Proposed:

Floor Area:

33.7sqm

Land Type:

Urban Consolidation.

Site Area:

0.033Hectares.

Conclusion

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

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SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be retained 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. Amendments.
Within 6 months of the date of the grant of this permission:
 - (a) The applicant shall remove the parapet on the first floor extension and the flat roof shall not protrude past the eaves of the existing roof of the main dwelling.
 - (b) The applicant shall remove the obscured glazing on the first floor extension and replace it with unobscured glazing and such unobscured glazing shall be maintained in perpetuity.
REASON: To protect the amenities of the area and in the interests of 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.

(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.

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(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 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

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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 Contributions.

The developer shall pay to the Planning Authority a financial contribution of €3,521.31 (Three thousand, five hundred and twenty-one euro and thirty-one 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 Act 2000 (as amended). This contribution is to be paid on receipt of Final Grant of Permission.

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

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/0416

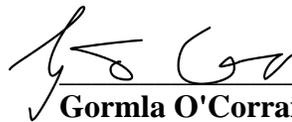
LOCATION: 5, Glenmaroon Park, Dublin 20

Colm Harte

Colm Harte,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for 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: 14/11/22



Gormla O'Corrain,
Senior Planner