

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0417 **Application Date:** 19-Sep-2022
Submission Type: New Application **Registration Date:** 19-Sep-2022
Correspondence Name and Address: Jakkulla Architecture & Design 56a, Ramleh Park,
Milltown, Dublin 6, D06HY92
Proposed Development: Extension to a semi-detached dwelling consisting of
construction of first floor side extension with pitch
roof, part single storey and part two storey flat roof
rear extension, attic conversion with rooflights and
PV Panels, widen vehicular gate and associated site
works.
Location: 17, Orchardstown Park, Dublin 14
Applicant Name: Shamil Chotai & Catherine Houlihan
Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Area

Stated as 0.0335 Hectares.

Site Description

The application site is located on Orchardstown Park close to the R136, N81 and M50 interchanges. The immediate vicinity is characterised by residential dwellings of similar architectural style and a predominantly uniform building line with some retail/office units situated to the west of the site location. The subject property is a two-storey semi-detached dwelling with a hip-pitched roof.

Proposal:

The development will consist of:

- First floor side extension with pitch roof.
- Part single storey and part two storey flat roof rear extension.
- Attic conversion with rooflights and PV Panels.
- Widen vehicular gate.
- Total area of works 83sqm.

Zoning:

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

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

Consultations:

Irish Water - No report received at time of writing.

Water Services – No report received at time of writing.

Roads Department – No report received at time of writing.

Parks Department – No objections or additional comments.

SEA Sensitivity Screening

No overlap with relevant layers.

Submissions/Observations /Representations

None received.

Relevant Planning History

Subject Property

None.

Adjacent sites:

SD20B/0007 - 6, Orchardstown Park, Dublin 14 – **Permission Granted** for single storey extension at first floor level to the side over the garage and a single storey extension to the rear with 1 new door and 1 new window at ground floor level on the side (northeast) elevation.

SD18B/0416 - 18, Orchardstown Park, Dublin 14 – **Permission Granted** for construction of kitchen extension to rear, garage conversion, bay window to front living room, dormer roof over garage.

SD18B/0292 - 27, Orchardstown Park, Dublin 14 – **Permission Granted** for conversion of existing attic space to a study with shower room, with a dormer window to the rear and a rooflight to the front roof plane.

Relevant Enforcement History

None.

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.

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

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).

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.

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.

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

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 the construction of a first floor side extension with a pitched roof, part single storey and part two storey flat roof rear extension, attic conversion with rooflights and PV Panels and a widened vehicular gate 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

First Floor Side Extension with Pitched Roof

The proposed first floor side extension follows the existing ground floor converted garage along the western gable wall and extends partially over the proposed rear extension which would not lead to unacceptable levels of overshadowing of the neighbouring properties. The proposed windows on the western gable are annotated as obscured on the submitted drawings which is appropriate as they are located at WCs on ground and first floor levels.

Visually, the proposed new roof structure is somewhat out of character with the established pattern of development but does retain a hipped element at a differing angle to that of the existing which would be visually jarring in the site context and a half hip that is not token in nature which matches the angle of the existing roof would be more appropriate and this should

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

be confirmed by **condition**. The materials of the exterior rendering should match that of the existing.

Overall, the proposed side extension is acceptable subject to conditions.

Part Single Storey and Part Two Storey Flat Roof Rear Extension

The proposed first floor extension follows on from the proposed first floor side extension and provides a further bedroom. The proposed roof treatment changes to a flat roof and extends a depth of approximately 2.1m from the existing dwellings rear wall which would contribute to a minimal level of overshadowing of the neighbouring property to the west due to the gap of approximately 2m between properties which is considered **acceptable** in this instance. Furthermore, the proposed would not lead to any additional unacceptable levels of overlooking of neighbouring dwellings.

The roof treatment would not be visible from the street as the ridge line sits at the eaves of the existing roof and therefore would not be visually injurious.

The proposed ground floor rear extension has a depth of 4.5m from the rear wall of the existing dwelling and ridge height of approximately 3.3m to the top of the parapet which is not overbearing in the site context and would not lead to overshadowing. The proposed brick façade delineates the proposed rear extension from the existing dwelling whilst tying it into the overall design scheme which is appropriate.

The proposed ground and first floor rear extensions would not be injurious to the residential or visual amenities of the area.

Attic conversion with rooflights and PV Panels

The proposed attic conversion consists of a bedroom and a storage area. 2.4m of internal head height is only achieved at the internal pitch of the existing roof and the applicant should note that in order for this to be habitable, 50% of the area is required to be 2.4m or above which is not achieved by the proposed development and therefore, the entirety of the converted attic shall be non-habitable. The proposed PV panels are not indicated on any of the plans and the applicant should confirm their overall area and location prior to commencement of works and this should be confirmed by **condition**.

Widen Vehicular Gate

The proposed widening of the vehicular entrance to 3.5m is acceptable subject to conditions.

Overall, the proposed development is acceptable subject to conditions.

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

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

No report was received from the Roads Department at the time of writing, but the proposed access is 3.5m which is acceptable. **Conditions** regarding pillar heights, gates not opening onto public roads or footpaths and dishing of kerbs should be attached in the event of a grant of permission.

Parks

The Parks Department have no concerns over the proposed development.

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).

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 the construction of a first floor side extension with a pitched roof, part single storey and part two storey flat roof rear extension, attic conversion with rooflights and PV Panels and a widened vehicular gate.

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.

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

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/0417
Summary of permission granted & relevant notes:	Residential Extension – 83sqm less 22sqm for proposed habitable attic space, which is non-habitable, 61sqm. Previous extension 25.04sqm.
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)	61
Amount of Floor area, if any, exempt (m²)	14.96
Total area to which development contribution applies (m²)	46.04
Total development contribution due	€4,810.71

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 83sqm

Land Type: Urban Consolidation.

Site Area: 0.0335Hectares.

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 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. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

Revised plans that incorporate all of the following amendments-

- (a) Revision to the proposed hip roof to match the angle of the existing roof. The revised

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

half hip roof shall not be taken in nature.

(b) Roof plan indicating the size and location of the PV Panels;

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

3. Dish Kerb and Footpath.

The kerb and footpath of the public road at the vehicle entrance(s) shall be,

(a) dish and a widened dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense, and

(b) all works shall be completed fully in accordance with the terms of a Road Opening Licence to be obtained by the applicant, developer, or owner from the Council prior to commencement of any works in the public domain.

REASON: In the interest of public safety and the proper planning and sustainable development of the area.

4. Gates.

No gate to be installed or erected shall be capable of opening across any public footpath, cycle-track, roadway or right of way, and any front entrance pillars shall be a maximum height of 1.2m .

REASON: In the interests of visual amenity and pedestrian safety.

5. Sustainable Urban Drainage Systems (SuDS) and Landscaping

The applicant has not proposed any SuDS (Sustainable Drainage Systems) features.

Within 6 months of the date of final grant of permission, the applicant shall submit the following:

a) a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development, for the written agreement of the Planning Authority. The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:

- Permeable Paving
- Green Roofs
- Rain gardens
- Swales
- Permeable Paving
- Grasscrete
- Channel Rills
- Planter Boxes
- Water Butts
- Other such SuDS

The applicant should reference the SDCC Sustainable Drainage Explanatory Design & Evaluation Guide prior to submission.

REASON: To ensure the adequate provision of SuDS

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

6. (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.

(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

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

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 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.

7. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €4, 810.71 (Four thousand, eight hundred and ten euro and seventy-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 Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

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 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.

NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

Comhairle Chontae Atha Cliath Theas

PR/1427/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0417

LOCATION: 17, Orchardstown Park, Dublin 14



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 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