

# Comhairle Chontae Atha Cliath Theas

**PR/1458/22**

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

**Reg. Reference:** SD22B/0147      **Application Date:** 11-Apr-2022  
**Submission Type:** Additional      **Registration Date:** 01-Nov-2022  
Information

**Correspondence Name and Address:** Hausman Design Northside Enterprise Centre,  
Bunratty Drive, Dublin 17

**Proposed Development:** Retention of a single storey garden room to the rear  
of the existing house and for alterations to the  
boundary wall to include the reposition of side access  
gate and for all associated site works.

**Location:** 23, Alderwood Green, Dublin 24

**Applicant Name:** Suma George & George Kuruttuparambil Koraha

**Application Type:** Retention

(AOCM)

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

Site Area: stated as 0.0191 hectares.

### **Site Description:**

The application site contains a two storey, end of terrace house, located on Alderwood Green in a row of similar dwellings. The surrounding area is residential in nature with a large area of public open space located to the rear of the dwelling currently under construction for older persons residential development, permitted under SD188/0003.

### **Site visited:**

18 May 2022

### **Proposal:**

**Retention** permission is sought for alterations the following:

- A single storey garden room (29 sq.m) to the rear of the existing house
- Alterations to the boundary wall to include the reposition of side access gate
- All associated site works.

### **Zoning:**

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*.

### **Consultations:**

Surface Water Drainage – **Further information** recommended

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Irish Water – **Further information** recommended

### **SEA Sensitivity Screening**

No overlap with relevant environmental layers

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

Submission expiry date – 16 May 2022

No submissions or objections received.

### **Relevant Planning History**

None recorded for subject site.

### **Relevant Enforcement History**

**S8825:** Potential structure to rear which may require planning permission.

### **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*

### **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

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### **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 comprises retention of a rear garden room (29 sq.m) and boundary alterations. No other changes are noted from drawings.

### Garden Room

The site notice states that a garden room would be retained. Floor plans clearly show multiple rooms including a playroom/studio, shower room, storage room and home office. The total floor area is 29 sq.m. The structure has a pitched roof with a maximum height of 3.94m. The structure has been constructed up to the eastern site boundary, with a distance of approximately 0.5m maintained to the northern site boundary and approximately 0.6m to the western site boundary. There is a distance of 4.4m between the main dwelling and the garden building subject of this application. It is noted that the adjacent dwelling to the west has a rear conservatory that protrudes from the rear building line of the dwelling by approximately 4m. The rear building line of the conservatory would be located approximately 2.5m to the west the front building line of the front building line of garden structure. Given the orientation and aspect of the dwellings, it is not considered that there would be a significant impact to daylight experienced by the conservatory however, the aspect enjoyed by these residents would be impacted by the garden structure. Given the design of the garden structure, it is not considered that it would have an overbearing impact on neighbouring dwellings.

The Planning Authority would have a concern that the intention of this building is not for use as a garden room, but for use as a separate habitable dwelling. This would be completely unacceptable. The applicant should be requested to submit **additional information**, removing the shower room and toilet from the structure. In the event of a grant, a **condition** should also be attached removing the shower room and stating that this element of the scheme is not permitted. Furthermore, in the event of a grant a **condition** should be attached stating that the structure is not to be used as a habitable residence. The structure can only be used for reasons incidental to the enjoyment of the main dwelling. The sale or leasing of the building for residential or commercial purposes is prohibited without prior planning consent.

Under exempt development rights, a minimum garden size of 25 sq.m is required. Drawings state a garden of 30 sq.m has been retained following construction of the garden room and on the completion of boundary alteration works. This is acceptable.

### Boundary Alterations

The site notice states boundary alterations are to be retained. From a site visit it was clear these works have not yet been undertaken. In the event of a grant, the applicant should be required by

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**condition** to complete the boundary alteration works to ensure that sufficient rear garden space is provided to serve the dwelling.

### Services, Drainage and the Environment

Water Services have reviewed the application and have recommended the following **additional information** is sought:

*1.1 The applicant has not submitted surface water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: [servicemaps@sdublincoco.ie](mailto:servicemaps@sdublincoco.ie).*

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

*2.1 The applicant has not submitted foul water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: [datarequests@water.ie](mailto:datarequests@water.ie).*

As the structure is already under construction, it is considered appropriate to request this **additional information** in advance of completion to ensure the adequate connection to, and protection of, existing services. While it is noted that no foul services should be supplied to the garden structure, it is important to ensure that the location of the building will not impact on existing services near the site.

### 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,

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it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### **Environmental Impact Assessment**

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development and internal consultation, it is considered necessary to request the following additional information:

- Revised drawings omitting the bathroom from the garden room
- A drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer.
- A drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer.

### **Recommendation**

Request Further Information.

### **Further Information**

Further Information was requested on 07/06/22

Further Information was received on 01/11/22

### **Consultations**

Water Services: No response received

Irish Water: No response received

### **Submissions/Observations**

No further submissions/observations received.

### **Assessment of Further Information**

The Further Information requested was as follows:

1. *The garden structure cannot be used as a habitable space separate to the use of the main dwelling. The provision of a w/c shower room within the garden structure is therefore not considered necessary or acceptable. The applicant is requested to submit revised plans*

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*removing the w/c shower room, noting that in the event of a grant a condition would be applied to ensure no washroom or toilet facilities would be permitted within the structure.*

- 2. The applicant has not submitted surface water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: [servicemaps@sdblincoco.ie](mailto:servicemaps@sdblincoco.ie).*
- 3. The applicant has not submitted foul water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: [datarequests@water.ie](mailto:datarequests@water.ie).*

### Assessment

#### *Item 1 – Revised Floor Plans*

The applicant has provided revised floorplans removing the w/c shower room. This is considered acceptable.

#### *Items 2 and 3 – Surface Water and Foul Drainage*

The applicant has provided a site layout plan showing services for the proposed development, indicating the inclusion of water butts, and connection to the existing combined network. As a result of the removal of the w/c shower room, there is no requirement for foul to serve the garden structure and therefore this is not indicated on plans. A response has not been received from Water Services or Irish Water to confirm acceptability of these proposals. A **condition** should be attached requiring all works to comply with the relevant requirements of Irish Water.

### South Dublin County Development Plan 2022 – 2028

A new Development Plan came into effect for South Dublin on 3<sup>rd</sup> August 2022. As a result, the development has been reassessed against the plans and policies of this new plan. The site remains subject to zoning objective 'RES' - 'To protect and/or improve residential amenity'. A residential extension is 'Permitted in Principle' under this zoning objective.

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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 does not appear to be located within a Core Area, Primary GI Corridor or Secondary GI Link, as per figure 4.4 of the Development Plan.

The site does not contribute significantly to green infrastructure. While some rear grassed area is to be replaced by the outbuilding, increasing hardstanding at the site, this is not considered to be significant in the context of the surrounding area. The applicant has stated they are including some SuDS at the site, including water butts, and this is considered acceptable given the scale of development proposed.

### 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**

The garden structure has been assessed as non-habitable and subservient to the main dwelling. As such, **no development contribution is due.**

#### **SEA Monitoring Information**

Building Use Type Proposed:	Residential extension
Floor Area:	29 sq.m
Land Type:	Urban Consolidation
Site Area:	0.0191 Hectares.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development 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.

### **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

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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 retained and completed fully in accordance with plans, particulars and specifications lodged with the application, as amended by further information submitted to the Planning Authority on 1/11/11, 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. (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 garden room 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 garden room shall not be used as a dwelling unit, 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



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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 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.

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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.

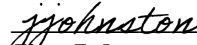
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REG. REF. SD22B/0147

LOCATION: 23, Alderwood Green, 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 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: 18/11/22

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