

Comhairle Chontae Atha Cliath Theas

PR/1457/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0431 **Application Date:** 28-Sep-2022

Submission Type: New Application **Registration Date:** 28-Sep-2022

Correspondence Name and Address: Damien Murray, Murray Eco Design Ltd Murray Eco Design Ltd, 22, Vernon Gardens, Clontarf, Dublin 3

Proposed Development: Demolition of existing single storey shed to rear of existing garden, the construction of : A) part two storey/part single storey extension to rear of existing Dwelling, B) single storey extension to the front of existing dwelling, C) conversion of attic space with dormer window to rear of existing dwelling and D) new single storey shed to the rear of existing garden at 99 Muckross Avenue Dublin 12. D12DY01. The development will consist of a new kitchen/dining/ living room on ground floor, new bedroom upstairs and other alterations to existing internal layout together with all associated site works

Location: 99, Muckross Avenue, Dublin 12

Applicant Name: Joe and Emily Brady

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.0299 hectares.

Site Description:

The application site contains a two storey, terraced house, located on Muckross Avenue. The surrounding area is residential in nature.

Site Visited: 07/11/2022

Proposal:

Permission is sought for the following:

- Demolition of existing single storey shed (27.4 sq.m)
- Construction of
 - a part two storey / part single storey rear extension
 - single storey front extension
 - conversion of attic space with rear dormer
 - single storey shed to rear of garden

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Zoning:

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

Consultations:

Water Services – No report received

Irish Water – No report received

SEA Sensitivity Screening

SEA monitoring indicates no overlap with relevant sensitive environmental layers

Submissions/Observations /Representations

Submission expiry date – 1 November 2022

2 submissions were received, summarised including:

- depth of rear extension, 8.85m, will adversely impact neighbouring property
- Sun Path Shadow Analysis limited in periods shown
- impact not accurately shown in submitted Sun Path Shadow Analysis
- first floor extension out of context and would have an overbearing impact
- not in keeping with provisions of House Extension Design Guide
- setback of front extension from boundary wall not considered
- scale of development would impact natural light experienced by neighbouring dwellings

Relevant Planning History

None recorded for subject site.

Adjoining Sites

SD21B/0126 (adjoining property to the east): First floor side extension over existing ground floor to the side of existing house; single storey rear extension to the rear of existing house and all associated site works. **Permission granted.**

SD21B/0534 (adjoining property to the west): Construction of a new ground floor single storey extension with roof lights; proposed dormer window to the rear; converting of existing attic space; new window to first floor bathroom to rear elevation; new bay window and porch to front elevation at ground floor level; revised pedestrian and vehicular access with pillars and gates; all associated site works. Permission granted. **Permission granted.**

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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Relevant Policy in South Dublin County Council Development Plan 2022-2028

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GI1 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.

Section 4.2.1 Biodiversity

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.

Section 4.2.2 Sustainable Water Management

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 6.8.2 Residential Extensions

Policy H14: 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 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).

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 12.6.8 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.

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Relevant Government Policy & Guidelines

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

Regional Spatial and Economic Strategy, Eastern & Midlands Regional Assembly, 2019.

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).

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG, 2009.

Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Residential and Visual Amenity
- Green Infrastructure
- Water Supply and Wastewater
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Policy

South Dublin County Development Plan 2022 - 2028

The site is subject to zoning objective 'RES' – *'To protect and/or improve residential amenity'*. Residential development (extension) is permitted in principle under this zoning objective, subject to assessment against the relevant policies, objectives and standards set out under the current Plan.

Residential and Visual Amenity

Front Extension

The front extension would span the full width of the house and would protrude 1.5m from the front building line. This is in line with the recommendations of the House Extension Design Guide, which states applicants should *'avoid building an extension more than 1.5m in front of the existing front wall of the house if there is a regular building line along the street.'* The depth of the extension adheres to the precedent set by the neighbouring property to the east, which was granted permission under SD21B/0534, for a front extension with a flat roof.

The front extension would provide an increased entrance hallway and living room. The roof would be pitched, with a turned gable element with glazing over the entrance door.

A driveway in excess of 9m would be retained, which is considered acceptable.

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It is noted that an objection was raised to the depth and width of the front extension and the impact this would have on the neighbouring dwelling. Given the scale and design of the front extension, it is not considered that there would be a significant impact on light achieved by the neighbouring dwellings windows, when viewed on the basis of the 45-degree angle, as referenced in the House Extension Design Guide.

Dormer Extension

A flat roof, zinc clad dormer would be located on the rear roof slope, with a larger window provided on the main elevation. The dormer would be sufficiently setback from the eaves, and just set down from the ridgeline. The setback from the eaves is considered appropriate however, the applicant should be requested to provide a greater set down from the ridgeline, by a minimum of 100mm, in correlation with the dormer permitted at the adjacent property under SD21B/0534. This should be amended by **additional information**.

Given the depths of rear gardens in the area, there is a significant distance between the dwelling and neighbouring properties to the south. In this regard, the Planning Authority is satisfied that there would be no issues of overlooking or loss of privacy. Furthermore, given the siting of the dormer, it is not considered there would be any issues in relation to loss of light or overshadowing of adjoining dwellings.

The principle of the dormer, subject to amendment by **additional information**, is therefore considered acceptable.

Rear Two-Storey Extension

Ground Floor

A ground floor rear extension is proposed, spanning the full width of the property. The extension would protrude approximately 5.7m along the eastern site boundary, and 8.85m along the western site boundary. This is considered excessive. As a general rule of thumb, extensions should not be more than 50% the depth of the main dwelling. The original house has a depth of approximately 8m, meaning a 4m deep extension would generally be acceptable.

It is noted that under SD21B/0534, a rear extension of 5.69m in depth was permitted. This property bounds the site to the east. This is considered to set the precedent about the maximum permissible depth of an extension, having regard to the impact that would be experienced by neighbouring dwellings. To the west, an extension with a depth of 4.1m was permitted under SD21B/0126. Some protrusion past the depth of the rear extension of the dwelling to the west is considered acceptable, given the orientation of the dwellings. It is considered appropriate to request the applicant revise the proposals by **additional information**, reducing the depth of the rear extension to no more than

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5.7m, to correlate with the depth of the extension to the east. This will reduce the overbearing impact experienced by the extension, as currently proposed, on both adjoining neighbouring properties.

A rear garden in excess of 90 sq.m would be retained and this is considered acceptable.

At ground floor, the existing dining room would be converted into a bedroom. An internal courtyard of 3.8sq.m would be created to provide light into the bedroom. The Planning Authority would have some concerns about the levels of daylight received by this room, given the height of walls enclosing all four sides, taking into account the rear extension proposed, and that of the adjoining dwelling. The applicant should be requested to submit daylight/sunlight analysis of this room to ensure daylight, in accordance with the relevant BRE guidelines, is provided. This should be requested as **additional information**.

First Floor

A first-floor rear extension would be inset from the eastern site boundary by approximately 1.3m, and from the western site boundary by approximately 1.6m. The extension would protrude 3.6m from the rear building line, with an additional depth of 04.m around a central feature window.

The House Extension Design Guide states the following of relevance:

- ***Two-storey extensions will not normally be accepted to the rear of terraced houses if likely to have an overbearing impact due to close spacing between houses***
- *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.*
- *Locate and design an extension so that it will not significantly increase the amount of shadow cast on the existing windows or doors to habitable rooms in neighbouring properties.*
- *Assess the impact of the shadow cast by extensions that are two-storey or higher on the daylight received by neighbouring properties. If the assessment demonstrates that the proposed extension will result in significant overshadowing or loss of light to habitable rooms in the adjoining dwelling, redesign to reduce impact.*
- *Prevent significant loss of daylight to the window of the closest habitable room in a neighbouring property by not locating an extension within the 45° angle of the centre point at 2m above ground level of the nearest main window of glazed door to a habitable room, measured on both plan and elevation. [Emphasis added].*

Drawings indicate the maximum parapet height of the second storey rear extension would be either 5.735m or 6.035m. Given the annotation on drawings, it is not easy to distinguish where the

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discrepancy lies. This should be addressed by additional information. Sections and elevations also aren't consistent in indicating whether the parapet would wrap around this first-floor extension or would only be present along the side elevations.

Taking the maximum height measured from drawings, 6.035m would require any first-floor extension to be inset from the site boundary from 2m, allowing for an extension with a maximum width of 3m. This would barely exceed the minimum width required for a double bedroom, and the depth that would be needed to make this room meet the standard for a double bedroom would be unacceptable. In this regard, the two-storey element of the rear extension is considered unacceptable due to the overbearing impact it would have on neighbouring dwellings and the precedent it would set for similar undesirable development in the area. As a result, this element of the proposal should be removed by **additional information**.

It is noted that some dwellings have constructed two-storey rear extensions. In most instances these dwellings are end of terrace units, which benefit from increase distances to sensitive neighbours, by virtue of either being on corner sites, or have a side passage maintained between dwellings.

Shed

The proposed shed would replace an existing shed, to be demolished. The shed would span the full width of the property and would extend 1.6m into the laneway to the rear. It appears that this area is within the applicant's control, not taken in charge by the council and would generally follow the established rear boundary line of the properties along Muckcross Avenue.

The applicant would be providing what appears to be a roller garage door onto the laneway, with a separate pedestrian door serving a covered rear entrance. The applicant has not indicated what the shed would be used for, and whether it would be intended for vehicular access or storage. The applicant should be requested to clarify this as **additional information**. If it is intended that cars or other vehicles would access the shed, autotrack is required to demonstrate access and egress and safe turning into the laneway. If the shed is not intended for vehicles, the rolling doors should be omitted.

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 development would result in the loss of some grassed garden area to the rear of the property. This is not considered to be of significant green infrastructure value. The applicant has indicated a soakaway would be provided in the rear garden. A condition should be attached requiring that this soakaway meets all relevant standards and be designed by a suitably qualified engineer.

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Water Supply and Wastewater

Water Services and Irish Water have not provided responses in relation to the application. From a review of Irish Water maps, it does not appear that the development would interfere with, or compromise, any existing Irish Water infrastructure in the vicinity of the site. In the event of a grant of permission, a **condition** should be attached requiring all foul and surface water to discharge separately, and that all Irish Water Standards, codes and practices shall be adhered to.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is on Muckross Avenue, an established residential area. The development comprises construction of residential extensions.

Having regard to:

- the small residential scale of the development,
- the location of the development in an established urban area, and
- the consequent absence of a pathway to the European site,

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

Environmental Impact Assessment

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

Conclusion

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, the development as currently proposed would be overbearing, resulting in significant negative impacts on the neighboring dwellings, and should therefore be amended. **Additional information** should be requested as follows:

- amend the dormer to ensure 100mm is maintained to the ridgeline of the roof
- reduce the depth of the rear extension to no more than 5.7m to ensure no undue impacts are experienced by neighbouring dwellings
- provide sunlight analysis for ground floor bedroom
- remove the first-floor rear extension
- provide greater detail in relation to the use of the shed

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Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

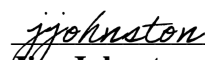
1. The applicant is requested to revise the proposal for their dormer extension ensuring 100mm is achieved between the ridgeline of the existing roof, and the top of the dormer window. This is to ensure consistency with the decision of SD21B/0534. In providing revised plans, the applicant should note that a roof plan is required to determine compliance with the requirements of this request. The applicant is also requested not to provide outline annotations on drawings, as this impacts the ability of the Planning Authority to fully assess the proposal as shown.
2. The proposed depth of the extension, a maximum of 8.85m is considered excessive and would have an undue overbearing impact on neighbouring dwellings. The applicant is requested to revise the extent of the ground floor rear extension, reducing the depth of the proposed extension to a maximum of 5.7m, in line with similar proposals at the adjoining properties.
3. There are concerns about the levels of daylight that would be achieved by the ground floor bedroom, if converted. The applicant is requested to submit daylight/sunlight analysis for this room, taking into account any changes to the design of the proposal as a result of this request.
4. The House Extension Design Guide states that 'Two-storey extensions will not normally be accepted to the rear of terraced houses if likely to have an overbearing impact due to close spacing between houses.' It is not considered that the applicant can address the concerns raised regarding the overbearing impact of the first-floor extension on neighbouring dwellings, and in addressing these concerns, it is not considered that any resulting extension at first floor level would be viable. The applicant is therefore requested to omit this element of the proposal, providing revised plans, elevations and sections as relevant.
5. It is not clear what the rear shed would be used for, and the impact the increased size and encroachment into the rear laneway. The applicant is requested to clarify this use. If any form of vehicle is intended to be stored in the shed, requiring access from the laneway, autotrack is required to demonstrate safe access and egress from the site. If not vehicles are intended to access the shed, the applicant is requested to remove the garage door providing access, and submit revised proposals demonstrating as such.

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REG. REF. SD22B/0431
LOCATION: 99, Muckcross Avenue, Dublin 12



Jim Johnston,
Senior Executive Planner

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date: 18/11/22



Gormla O'Corrain,
Senior Planner