

Comhairle Chontae Atha Cliath Theas

PR/1469/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0443 **Application Date:** 04-Oct-2022
Submission Type: New Application **Registration Date:** 04-Oct-2022
Correspondence Name and Address: John Shevlin 114, Ashington Rise, Navan Road, Dublin 7.
Proposed Development: Demolition of the existing sunroom to rear and the construction of a single storey extension with garage to side and rear of existing house and a porch extension to front. New boundary wall to side. A first floor pitched roof extension with 2 rooflights, 2 dormer windows and the installation of solar panels on the South West facing roof.
Location: 21, The Court, Kingswood Heights, Dublin 24
Applicant Name: Gary Saunders
Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: 0.0425

Site Description:

The site is located on a corner site within the established Kingswood Heights residential estate and contains a detached single storey 'L' shaped dwelling with pitched roof profile. The streetscape of Kingswood Heights is characterised by houses of similar form and appearance with a mainly uniform building line.

Proposal:

The proposed development consists of the following:

- Demolition of the existing sunroom to rear (13.15sq.m.).
- First floor pitched roof extension with 2 rooflights, 2 dormer windows (non-habitable) to side.
- Construction of a single storey rear extension.
- Garage and shed to rear.
- Porch extension to front.
- New boundary wall to side.
- Solar panels.
- Proposed works measure c.69.01sq.m.

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Zoning:

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

Consultations:

Surface Water Drainage – No report received.

Irish Water – No report received.

Roads Department – verbal report received stating no objections subject to conditions.

SEA Sensitivity Screening

No overlap indicated for relevant environmental layers.

Submissions/Observations /Representations

None.

Relevant Planning History

None recorded for subject site.

Adjacent sites

SD14B/0020: 33, The Garth, Kingswood Heights, Dublin 24.

Construct a new two storey extension to the rear of the existing dwelling house and all associated site works.

Decision: **GRANT PERMISSION.**

SD05B/0263: 2, The Drive, Kingswood Heights, Dublin 24.

One storey extension with a pitched roof to the side of the existing house containing two bedrooms and a bathroom.

Decision: **GRANT PERMISSION.**

S00B/0508: 2, The Drive, Kingswood, Dublin 24.

Extension to side of house.

Decision: **REFUSE PERMISSION.**

Appealed to ABP under 06S.121718: **REFUSE PERMISSION.**

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None.

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

Section 6.8.2 Residential Extensions

Policy H14 Residential Extensions

- It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Policy 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 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 12.5.3 Density and Building Heights

Section 12.6 Housing – Residential Development

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.

Section 12.6.7 Residential Standards

Section 6.7.5 Privacy and Security

Section 6.7.4 Internal Residential Accommodation

Section 12.10.1 Energy Performance in New Buildings

Section 12.3.2 Appropriate Assessment

Section 12.3.3 Environmental Impact Assessment

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

Attic conversions and dormer windows:

- Locate dormer windows as far back as possible from the eaves line (at least three tile courses).
- In the case of a dormer window extension to a hipped roof, ensure it sits below the ridgelines of the existing roof and matches the materials used in the main house.
- Relate dormer windows to the windows and doors below in alignment, proportion, and character.

Overlooking and loss of privacy:

- Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.

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South Dublin County Council House Extension Design Guide (2010)

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 Environment, Heritage, and Local Government, (2007).

Relevant Government Policy

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

Regional, Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, 2019.

Section 5 – Dublin Metropolitan Area Strategic Plan, in *Regional, Spatial and Economic Strategy 2019 – 2031*.

Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, 2009.

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

Assessment

The main issues for the assessment are:

- Zoning and Council Policy
- Residential and Visual Amenity
- Access & Parking
- Services and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR).

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Zoning and Council Policy

The site is located in an area that is zoned 'RES' 'to protect and/or improve residential amenity.' A residential extension is permitted in principle subject to its accordance with the relevant provisions in the Development Plan 2022-2028 and the SDCC House Extension Design Guide 2010.

Residential & Visual Amenity

Demolition (13.15sq.m.)

The proposal comprises the demolition of the existing sunroom to rear. This is considered acceptable.

First floor pitched roof extension with 2 rooflights & 2 side dormers

The first floor extension will provide for 2 no. bedrooms and a bathroom. The ridge height of the existing dwelling is c.4.895m and the proposed ridge height is c.5.995m. Therefore, there will be a height difference of 1.1m between the existing ridge line of the existing dwelling and the proposed ridge line to provide for ceiling height for the first floor bedroom. Although the ridge height for the proposed extension will be set c.1.1 metres higher than the majority of neighbouring dwellings in the vicinity as this is a corner site it is considered that the increase in height would be acceptable in the context of the subject site. It is noted that there will be no change in eaves height.

The 2 no. side dormers will be set appropriately above the eaves and below the ridge of the main dwelling. Each dormer will project outwards from the roof by c.1.8m and will span a width of c.2m. The proposed dormers would comply with the SDCC House Extension Design Guide 2010.

2 no. rooflights are proposed to the new stairwell and kitchen area. This is considered acceptable.

'L' shaped single storey rear extension

The primary element of the 'L' shaped rear extension will project outwards from the main rear building line by c.6.225m and the secondary element of the 'L' shaped rear extension will project outwards from the main rear building line by c.2.725m. The secondary element will be built to the boundary with the immediate neighbour to the north (No.20) and will span a width of c.4m. The primary element will span a width of c.7.65m and will have a pitched roof over whereby the ridge height will be set c.2m below the ridge height of the main proposed first floor extension. At c.60.5sq.m. the area of private open space to remain post completion would be reasonable. This element of the proposal would integrate reasonably well with the character of the area.

The proposal would not be considered to have a significant adverse impact on residential and visual amenity.

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Porch extension to front.

The porch extension to the front will be built in the existing front courtyard and will project outwards from the main front building line by c.1.8m. The porch will not project outwards beyond the existing living room. The porch will span a width of c.3m and will have a pitched roof with a ridge height of c.3.75m. A driveway length of c.8.415m will be provided. The extension would integrate reasonably well with the character of the area.

Garage/Shed to side/rear

The proposed garage will be built to the rear of the existing dwelling and will be built to the western site boundary. The garage will span a width of c.3.68m and will project a length of c.6.27m. and will have an internal door into the proposed shed. The shed will project outwards from the rear of the garage by c.3.415m and will span a width of c.4.885m. The shed will also be built to the western site boundary. The garage and the shed will have a pitched roof with a ridge height of c.3.455m. At c.60.5sq.m. the area of private open space to remain post completion would be reasonable. This element of the proposal would integrate reasonably well with the character of the area.

New boundary wall to side.

A 0.9m high boundary wall is proposed for the front garden and a 2.0m high boundary wall is proposed for the rear garden. This boundary treatment would comply with the SDCC Development Plan 2022-2028 and would allow appropriate for visibility for vehicles exiting and entering the subject site.

Solar panels

4 no. solar panels will be located on the front roof and 3 no. solar panels will be located on the rear roof of the single storey extension. This is considered to be broadly acceptable in this instance.

Access & Parking

A verbal report was received from the Roads Department recommending standard **conditions** to be attached in the event of a grant.

1.The vehicular access points shall be limited to a width of 3.5 meters.

2.The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.

3.Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.

4.Any gates shall open inwards and not out over the public domain.

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In the public notice, the applicant has not stated any alterations to the vehicular entrance therefore conditions 1 and 3 are not relevant. Otherwise, the remaining conditions should be imposed.

Services & Drainage

No reports have been received from Surface Water Drainage or Irish Water. Notwithstanding this it is considered that standard drainage **conditions** shall be attached in the event of a grant.

Screening for Appropriate Assessment (AA)

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,

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.

Screening for Environmental Impact Assessment (EIAR)

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.

Other Considerations

Development Contributions

- Extension measuring 69.01sq.m.
- No previous extension.
- 40sq.m. exemption remains.
- Assessable area is 29.01sq.m.

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Development Contributions

Planning Reference Number	SD22B/0443
Summary of permission granted & relevant notes:	Residential Extension – 69.01sq.m.
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)	69.01
Amount of Floor area, if any, exempt (m2)	40
Total area to which development contribution applies (m2)	29.01
Total development contribution due	€3,031.25

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – extension	69.01sq.m.
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0425

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Conclusion

Having regard to the 'RES' land-use zoning of the area, the relevant policies and objectives of the South Dublin County Development Plan 2022 – 2028, and the recommendations and the South Dublin House Extension Design Guide 2010, the development seeking permission would accord 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. (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.

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(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to 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:

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- 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.

3. Roads requirements.

(a). The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.

(b). Any gates shall open inwards and not out over the public domain.

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

4. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €3,031.25 (Three Thousand and Thirty One Euros and Twenty Five Cents), 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.

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.

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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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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

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.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.


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REG. REF. SD22B/0443

LOCATION: 21, The Court, Kingswood Heights, Dublin 24



Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 22/11/22_____



Gormla O'Corrain,
Senior Planner