

Comhairle Chontae Atha Cliath Theas

PR/0057/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0513 **Application Date:** 30-Nov-2022
Submission Type: New Application **Registration Date:** 30-Nov-2022
Correspondence Name and Address: DRB Design 74, Lambourn Park, Clonsilla, Dublin 15.
Proposed Development: Retention Permission for a detached single storey garden room to the rear garden.
Location: 16, Allenton Road, Dublin 24
Applicant Name: Melissa Fulham
Application Type: Retention

(PB)

Description of Site and Surroundings:

Site Area: Stated as 54 sq. m in planning application

Site Description:

The site is located 16 Allenton Road, Ballycragh, Tallaght, Dublin 24 and contains a semi-detached 3 bed house. The streetscape is generally characterised by properties of a similar form and appearance. The applicants house sits at the end of a staggered terrace formation.

Proposal:

Retention Permission consists of a single storey flat roof Garden Room to rear of property and associated works.

Zoning:

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

Consultations :

Surface Water Drainage – No report received, standard conditions to apply.

SEA Screening – No overlaps indicated.

Submissions/Observations /Representations:

None received by January 13th, 2023, deadline

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Relevant Planning History:

Application Site: No previous applications

Adjacent sites:

D07B/0459

- A single storey extension to the side and rear of the existing dwelling.
- A stand-alone single storey 'workshop' structure in the rear garden of the existing dwelling.

Grant Permission.

S00B/0371

Flat-roofed single storey side extension to an end-of- terrace house, for use as a shed, door, window, and finishes would match existing.

Grant Permission.

Relevant Enforcement History

Enforcement warning letter Ref S0916 Garden Room (54sq m) structure considerably larger than permitted (exempted) area of 25sq m

Pre-Planning Consultation

None recorded.

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

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

Rear Extensions

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*

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Daylight and over shadowing

- *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.*
- *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 or glazed door to a habitable room, measured on both plan and elevation. If the extension has a pitched roof, then the top of the extension can be taken as the height of its roof halfway along the slope.*

Policy H18 Objective 2:

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

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

Green Infrastructure

GI4 Objective 1: To limit surface water run-off from new developments incorporating 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*.

Backland Development

The design of development on back land sites should meet the criteria for infill development in addition to the following criteria: à Be guided by a site analysis process in regard to the scale, siting and layout of development. Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area. à Development that

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is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking. Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.

Relevant Government Guidelines:

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

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).

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 relate to the following:

- Zoning and Council policy,
- Residential and visual amenity,
- Services and Drainage,
- Screening for Appropriate Assessment,
- Screening for Environmental Impact Assessment,

Zoning and Council Policy

The site is located in an area which is zoned 'RES' 'To protect and/or improve Residential Amenity'. The proposed development is consistent in principle with zoning objective 'RES'.

Residential and Visual Amenity

The detached Garden Room to rear wall of property stands 4.015m in height, The structure is partially screened by adjoining back-to-back neighbour (20 Allenton Park) shed extension (SD07B/0459) which is slightly taller than applicants Garden Room.

In terms of visual amenity, the proposed development is located to the rear of the property. As the property is end of terrace the nearest houses to the southern side on Allenton Avenue sit at a right angle and the rear of their houses face 'side-on' on the rear garden of the applicant's garden. However, they are approx. 18 meters from the Garden Room and are screened with dense trees/bush growth. The Garden Room would not generally be visible in the street scene

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The Garden Room does not have any impact on the amenity of the neighbouring properties due to the scale and proposed use. The Garden Room outbuilding is intended for ancillary use and shall only be incidental to the existing dwelling and not used as a separate dwelling. Having regard to this a **condition** should be imposed requiring removal of the W.C. /bathroom.

The open free private space between the main house and the Garden Room exceeds the 25 sq. m requirement.

Given the above, it is considered the proposed development is acceptable in terms of visual and residential amenity.

Drainage

Water Services have not submitted a report however, the retained development is subject to standard conditions regarding standard codes of practice and the addition of water butts. Included in the submission are details of a 1000 Litre attenuation tanks with restricted outflow designed to achieve a maximum of 2 l/s per Hectare of subject site. This is acceptable under SDCC SUDS evaluation guide 2022.

The file was not referred to Irish Water.
In any event, standard drainage conditions should apply.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, and the distance from Natura sites, it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 AA is not required.

Screening for 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.

Other Considerations

Development Contributions

- Retained - Garden Room (conditioned as ancillary and non-habitable): 54 sq.m

Assessable area: Nil.

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SEA Monitoring

Building Use Type Proposed, Garden Room

Floor Area: 54 sq.m

Land Type: Brownfield/Urban Consolidation

Site Area: 0.0247 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Council Development Plan,
- the 'RES' zoning objective,
- the overall design and scale of the development proposed, and
- its location, siting, and size of rear amenity space

It is considered that, the proposed development would not adversely affect 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 and a grant of retention permission is recommended.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for Retention for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
 - a) The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, save as may be required by other conditions attached hereto.
 - b) No later than 6 months from the final grant date of permission the w.c./bathroom shall be removed.

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REASON: To ensure that the development is in accordance with the permission and that effective control is maintained and to ensure the building is not used as a habitable dwelling.

2. **Restriction on Use of the Garden Room**

The Garden Room shall be used solely for purposes incidental to the enjoyment of the dwelling house as such and shall not be used for habitation or the carrying on of any trade or business, and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

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

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.

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REG. REF. SD22B/0513
LOCATION: 16, Allenton Road, 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: 18/01/23



Gormla O'Corrain,
Senior Planner