

Comhairle Chontae Atha Cliath Theas

PR/0117/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0510 **Application Date:** 28-Nov-2022
Submission Type: New Application **Registration Date:** 28-Nov-2022
Correspondence Name and Address: Sevana Moynagh 1, Clonattin Road, Goreybridge, Gorey, Wexford, Y25DF44
Proposed Development: The development will consist of Modifications to previously permitted Planning Application reg/ref SD20B/0147 to include: The construction of a new side extension at first floor level (above converted garage): new rooflight to front roof; minor modifications to internal layout at ground and first floor levels; modifications to fenestration at first floor level in rear elevation; and all associated site works to existing semi-detached 2 story house at Edenbrook Park
Location: 7, Edenbrook Park, Dublin 14
Applicant Name: Fiona and Patrick Mahoney
Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.044 Hectares on the application form.
Site Visit: 21st of December 2022.

Site Description

The subject site is located on Edenbrook Park within an existing housing estate in Rathfarnham. The site consists of a two storey, semi-detached dwelling. The streetscape comprises of housing of a similar form and character.

Proposal

Permission for modifications to previously permitted Planning Application reg/ref SD20B/0147 to include: The construction of a new side extension at first floor level (above converted garage): new rooflight to front roof; minor modifications to internal layout at ground and first floor levels; modifications to fenestration at first floor level in rear elevation; and all associated site works to existing semi-detached 2 story house at Edenbrook Park.

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Zoning

The subject site is zoned 'RES': *'To protect and/or improve residential amenity'* under the South Dublin County Development Plan 2022-2028.

Consultations

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|------------------|--|
| Water Services | No report received at the time of writing this report. |
| Irish Water | No report received at the time of writing this report. |
| Roads Department | No objections. |
| Public Realm | No report received at the time of writing this report. |

SEA Sensitivity Screening – the site overlaps with aviation layers.

Submissions/Observations /Representations

No third party submissions received.

Relevant Planning History

Subject site

SD20B/0147

Increase in height of first floor side wall in order to provide a gable end roof in lieu of existing hipped roof and conversion of attic space incorporating 2 dormer roof windows to the rear elevation; associated site works. **Permission granted.**

Relevant conditions:

2. *Dormer Windows.*

Prior to commencement, the proposed development shall be amended to locate the top of the dormer windows a minimum of 100mm below the ridge height.

REASON: In the interest of visual amenity.

Adjoining or surrounding sites

SD07B/0530 at No. 5 Edenbrook Park

Conversion of existing attic, installation of dormer window on east side of roof, rooflight on north and south sides of roof and solar panels on south facing roof. **South Dublin County Council granted permission with final grant dated 20th November 2007.**

SD06B/0151 at No. 11 Edenbrook Park

(a) To build porch with pitch roof to front of house and garage; (b) change of use and conversion of the garage to habitable use involving the construction of a parapet wall and lean-to roof with roof light; (c) the part removal and alteration to the existing hip roof to the house and the creation of a new roof with a gable-end affecting the side, front and rear elevations of the house,

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incorporating 2 dormer windows to the rear roof of the dwelling and conversion of attic into study & the creation of a new window to the gable and alteration to existing window. **South Dublin County Council granted permission with final grant dated 15th June 2006.**

Relevant Enforcement History

None recorded for the subject site.

Pre-Planning Consultation

No pre-planning consultation was held concerning this application.

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

Policy GI1: Overarching

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.

Policy GI2: 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.

Policy GI4: Sustainable Drainage Systems

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.

Policy QDP7: High Quality Design – Development General

Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

Policy QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

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Policy H11: Privacy and Security

Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Policy H14: Residential Extensions

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

Policy E3: Energy Performance in Existing and New Buildings

Support high levels of energy conservation, energy efficiency and the use of renewable energy sources in new and existing buildings including the retro fitting of energy efficiency measures in the existing building stock in accordance with relevant building regulations, national policy and guidance and the targets of the National and South Dublin Climate Change Action Plans.

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.4.2 Green Infrastructure and Development Management

12.6 Housing - Residential Development

12.6.7 Residential Standards

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.

12.7.4 Car Parking Standards

Table 12.26: Maximum Parking Rates (Residential Development)

12.11.1 Water Management

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South Dublin County Council House Extension Design Guide (2010)

The House Extension design guide contains the following guidance on house extensions, including side extensions.

Elements of Good Extension Design

- *Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible.*

Side extensions:

- *Respect the style of the house and the amount of space available between it and the neighbouring property, for example:*
 - *if there is a large gap to the side of the house, and the style of house lends itself to it, a seamless extension may be appropriate;*
 - *if there is not much space to the side of the house and any extension is likely to be close to the boundary, an ancillary style of extension set back from the building line is more appropriate;*
 - *if the house is detached or on a large site or in a prominent location such as the corner of a street, it may be appropriate to consider making a strong architectural statement with the extension.*
- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.*
- *Leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.*
- *If no gap can be retained, try to recess side extensions back from the front building line of the main house by at least 50cm and have a lower roof eaves and ridge line to minimise the terracing effect. In the case of a first floor extension over an existing garage or car port that is flush with the building line of the main house, the first floor extension should be recessed by at least 50cm.*
- *Match the roof shape and slope of the existing house. In the case of houses with hipped roofs it can be particularly difficult to continue the ridge line and roof shape; however, it is more visually pleasing to do so if this will not result in a terracing effect with the adjoining house.*
- *Where the extension is to the side of a house on a corner plot, it should be designed to take into account that it will be visible from the front and side. The use of blank elevations will be unacceptable and a privacy strip behind a low wall, hedge or railings should be provided along those sections of the extension that are close to the public pavement or road.*
- *Avoid creating a terraced effect and awkward join between the rooflines of two adjacent properties if building up to the party boundary.*

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- *Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.*
- *Do not incorporate blank gable walls where extensions face onto public footpaths and roads.*
- *The use of a 'false' roof to hide a flat roofed extension is rarely successful, particularly if visible from the side.*
- *Avoid locating unsightly pipework on side elevations that are visible from public view. Consider disguising or recessing the pipework if possible.*
- *Extending a hipped roof to the side to create a gabled end or half-hip will rarely be acceptable, particularly if the hipped roof is visually prominent and typical of other houses along the street.*
- *Avoid the use of prominent parapet walls to the top of side extensions*

Relevant Government Guidelines

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

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

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage 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, (2009).

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, Department of the Environment, Heritage and Local Government, (2009).

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

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Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;
- Green Infrastructure;
- Infrastructure and Environmental Services;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The subject site is located within zoning objective 'RES': '*To protect and/or improve residential amenity*'. New residential extensions to existing dwellings are permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010.

Visual and Residential Amenity

Previously permitted attic conversion and dormer extensions

The proposed development would involve modifications to previously permitted Planning Application Reg. Ref. SD20B/0147. This permission involved an increase in height of first floor side wall in order to provide a gable end roof in lieu of existing hipped roof and a conversion of attic space incorporating 2 dormer roof windows to the rear elevation.

A condition (no. 2) was attached requiring that: '*Prior to commencement, the proposed development shall be amended to locate the top of the dormer windows a minimum of 100mm below the ridge height*'. This condition does not appear to have been addressed. The dormer windows on the subject drawings are approx. 55mm below the ridge height. However, this is to be addressed under Reg. Ref. SD20B/0147 and not the subject application.

Construction of a new side extension at first floor level (above converted garage)

The dwelling would be extended to the side at first and attic floor levels. The extension would not extend further in width than the ground floor below. The extension would be setback from the front building line by approx. 1.3m and align with the rear building line of the dwelling. The extension would have a pitched roof and the external finishes would match the existing dwelling. It would be approx. 7.9m in overall (roof ridge) height, lower in height than the existing dwelling.

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The extension would provide for a bedroom and ensuite at first floor level and wardrobe/linen store at attic floor level. The bedroom would meet the minimum floorspace requirements of the 2022-2028 CDP and Quality Housing Guidelines 2007. No windows are proposed on the side (west) elevation.

Given the scale, form and design of the proposed side extension it is considered to generally comply with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and would have an acceptable impact in terms of residential and visual amenity.

New rooflight to front roof, minor modifications to internal layout at ground and first floor levels, and modifications to fenestration at first floor level in rear elevation.

The proposed rooflight, modifications to internal layout and changes to fenestration at first floor at rear are considered to generally comply with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and would have an acceptable impact in terms of residential and visual amenity.

Access and Parking

The Roads Department have reviewed the proposed development and have no objections. No changes are proposed to access and parking.

Green Infrastructure

The subject site is not located within a green infrastructure area, corridor or link as identified on Figure 4.4: Green Infrastructure Strategy Map in the CDP. Having regard to the location, nature and scale of the development it is considered to be in accordance with Policy Objectives GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the CDP 2022-2028.

Infrastructure and Environmental Services

No reports have been received from Water Services or Irish Water. Standard conditions should apply in the event of a grant of permission.

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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 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.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves residential extensions.

Having regard to:

- the scale and domestic nature of the development,
- the location of the development in a serviced 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.

Development Contributions

Proposed extension advised by the architect on the 31st of January 2023 as 14.8sq.m (excluding non-habitable attic extension)

The previously permitted development Reg Ref. SD20B/0147 is an attic conversion, mostly non-habitable, but including a 5sq.m bathroom.

Existing extension is approx. 32sq.m.

3sq.m of the 40sq.m remaining.

Assessable area = 11.8sq.m

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| Planning Reference Number | SD22B/0510 |
| Summary of permission granted & relevant notes: | Residential extension |
| Are any exemptions applicable? | No |
| 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: | 119.10 |
| % reduction to rate, if applicable (0% if N/A) | 0 |
| Rate applicable | €119.10 |
| Area of Development (m2) | 14.8 |
| Amount of Floor area, if any, exempt (m2) | 3 |
| Total area to which development contribution applies (m2) | 11.8 |
| Total development contribution due | €1,405.38 |

SEA monitoring

Building Use Type Proposed: Residential extensions.

Floor Area: 23.1sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.044 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, 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.

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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.
(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

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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:

- 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

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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. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €1, 405.38 (One thousand four hundred five euros and thirty-eight 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.

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

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REG. REF. SD22B/0510
LOCATION: 7, Edenbrook Park, Dublin 14



Caitlin O'Shea,
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: 01/02/2023



Deirdre Kirwan,
Senior Executive Planner