

Comhairle Chontae Atha Cliath Theas

PR/0126/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0516 **Application Date:** 01-Dec-2022
Submission Type: New Application **Registration Date:** 01-Dec-2022

Correspondence Name and Address: Tara Ward 4, Carrigmore Close, Aylsbury, Tallaght, Dublin 24

Proposed Development: Retention Permission for ground floor front and rear extensions with pitched roof.

Location: 13, Fortunestown Close, Dublin 24

Applicant Name: Vladimir Stephanenko

Application Type: Retention

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.016 hectares.

Site Description:

The application site comprises a two-storey, mid-terrace dwelling in a cul-de-sac of similar dwellings. The surrounding area is characterised by similar residential development.

Proposal:

Retention permission is sought for the following:

- Ground floor front and rear extensions (4.6 sq.m and 9.2 sq.m respectively) with pitched roofs.

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

Indicates no overlap with relevant sensitive layers.

Submissions/Observations /Representations

Submission expiry date – 16 January 2023
No submissions or observations were received.

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Relevant Planning History

None recorded for subject site.

It is noted from a review of aerial imagery, and a recent advert on myhome.ie, that a rear garden structure has been built at the site. This structure is not captured in the current application and no planning history permitting its development has been traced. This is addressed later in this report.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Chapter 4 Green Infrastructure

Section 4.1 Methodology

G11 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

G12 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

G14 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: 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

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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 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

Relevant Government Guidelines

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

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

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)

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 is permitted in principle under this zoning category.

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Residential and Visual Amenity

Front Extension

The single storey front extension is approximately 4.6 sq.m, projecting 1.2m from the original front building line of the house, and the full width of the site. The extension provides for an enlarged hallway and sitting room. The roof profile matches the roof of the main dwelling, and fenestration and materials have remained consistent with the character of the dwelling and other houses within the terrace. A driveway in excess of 6m in length has been maintained. These works are therefore considered to comply with the policies and objectives of the Development Plan, specifically the House Extension Design Guide, and are considered acceptable.

Rear Extension

The single storey rear extension is approximately 9.2 sq.m, projecting 2.13m from the original rear building line of the house, and the full width of the site. The extension provides for an enlarged kitchen/dining room. The roof profile matches the roof of the main dwelling, and fenestration and materials have remained consistent with the character of the dwelling and other houses within the terrace. In principle, given the modest scale and design, the extension would be considered acceptable. It is not considered likely to have significant impacts on neighbouring properties given its location and orientation. There are, however, concerns regarding the private amenity space that has been retained.

Drawings indicate that a rear garden of 22 sq.m has been maintained as a result of the extension for which retention is sought and the inclusion on plans of a 14 sq.m shed. The Development Plan requires a minimum 60 sq.m rear amenity space is provided for 3-bedroom homes. The applicant falls significantly short of this based on the works undertaken to date. Nevertheless, the 60sqm requirement is usually depleted with the construction of rear extensions and sheds in a rear garden. Therefore, the remaining private amenity space is considered acceptable.

Retention permission has not been sought for this 'shed' however, no planning permission has previously been granted in relation to its construction. It is clear from aerial imagery, and a myhome.ie advert, that this rear structure is substantial and would appear to require regularisation. The myhome.ie advert references a bathroom within this structure, indicating it is used for habitable purposes rather than storage. The applicant should satisfy themselves that this development is either exempt or not requiring regularisation. A separate planning application should be made for retention in the event regularisation of the development is deemed necessary.

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Green Infrastructure

The site appears to be located within a Secondary GI Link (Citywest-Saggart), as per Figure 4.4 of the Development Plan.

The site does not appear to have any natural vegetation or green infrastructure assets, seemingly entirely paved or extended over. As this application relates to retention permission, and no ongoing works are proposed, it is not considered that there is scope to improve the landscaping of the site, though the applicant should be encouraged to investigate opportunities to implement vegetation at the site.

Water Supply and Wastewater

A review of Irish Water maps indicates that the development is not likely to be impacting existing infrastructure in the area. This is considered acceptable.

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 a serviced urban area and relates to the retention of existing extensions.

Having regard to:

- the scale and nature of the development,
- the location of the development, and
- the consequent distance from the site to qualifying European sites,

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 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.

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Other Considerations

Development Contributions

Are any exemptions applicable?	No
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
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	14
Total development contribution due	14x119.10 = €1,667.40

SEA Monitoring Information

Building Use Type Proposed:	Residential extension.
Floor Area:	14 sq.m
Land Type:	Urban consolidation
Site Area:	0.016 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 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.

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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, within 6 months of the grant of permission, 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. Financial Contribution.
The developer shall pay to the Planning Authority a financial contribution of €1, 667.40 (One Thousand Six Hundred and Sixty Seven Euros and Forty 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.

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REG. REF. SD22B/0516

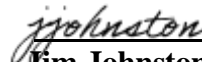
LOCATION: 13, Fortunestown Close, Dublin 24



**Aoife O'Connor Massingham,
Assistant 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: 03/02/2023


**Jim Johnston,
Senior Executive Planner**