

# Comhairle Chontae Atha Cliath Theas

**PR/0130/23**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22B/0525      **Application Date:** 13-Dec-2022  
**Submission Type:** New Application      **Registration Date:** 13-Dec-2022

**Correspondence Name and Address:** H2B Architects 20, Moyview, Kildalkey, Co. Meath  
**Proposed Development:** Single storey porch and enlargement of games room to front of house; Single storey kitchen extension to rear of house; Attic conversion for study room with projecting dormer window to rear of house and all associated site works.

**Location:** 39, Laurel Park, Dublin 22  
**Applicant Name:** Jennifer & Keith O'Neill  
**Application Type:** Permission

(AOCM)

### **Description of Site and Surroundings:**

Site Area: stated as 0.037 hectares.

### **Site Description:**

The application site contains a two-storey semi-detached dwelling with an existing side garage that appears to have been converted, located on Laurel Park, in a cul-de-sac of similar dwellings. The surrounding area is characterised by residential development, within close proximity of Clondalkin village.

### **Proposal:**

**Permission** is sought for the following:

- Single storey front extension
- Single storey rear extension
- Attic conversion and dormer extension

### **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 environmental layers.

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### **Submissions/Observations /Representations**

Submission expiry date – 25 January 2023

No submissions or observations were received.

### **Relevant Planning History**

None recorded for subject site.

### **Nearby Development**

**SD22B/0476:** The Development will consist/consists of the construction of new single story flat roof porch to the front of the existing house and a single story roof extension to the side and rear of the house and garage to include new kitchen, Living dining space along with utility and WC. The application is to include internal alterations and upgrades and all ancillary site works drainage and landscaping as required. **Permission granted.**

### **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*

*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.*

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*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 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

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#### **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.

#### **Residential and Visual Amenity**

##### Ground Floor Front Extension

There is not planning history for the site however, at some point a flat roof garage has been converted to provide additional living space for the main dwelling. The applicant is proposing to extend the front of this part of the dwelling and the front entrance.

The flat roof extension would protrude approximately 1.2m from the front building line, would extend the full width of the games room, and would enclose the existing entrance vestibule to create a porch area. Fenestration and materials would match the existing dwelling. A driveway of approximately 6m in length would be maintained for to the front of part of the dwelling. These works are considered acceptable.

The applicant is proposed to replace the existing fenestration for the games room with a large door, similar in style to the proposed front door. This is not considered acceptable and should be replaced with a window so that only one front access is provided. A **condition** should be included to ensure this is amended.

##### Ground Floor Rear Extension

A rear extension would be constructed across the full width of the existing dwelling, from the north to south boundary. The extension would protrude 4.3m from the rear building line, with a 1.2m feature window projection at the centre of the extension. The extension would provide a large kitchen / dining area with a separate shower room, accessed via the games room.

The existing dwelling is approximately 4m in depth, with the proposed extension being slightly over 50% of this depth. An extension of a similar scale was permitted under SD22B/0476 and it is not considered that the works proposed under this current application would be materially different from those permitted elsewhere in the vicinity of the house. In this regard, the development is considered acceptable.

The extension would have a flat roof, with windows and doors located on the rear elevation. A **condition** should be included that materials should be complementary to the existing dwelling.

Based on the above, the rear extension is considered acceptable.

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### Attic Conversion and Dormer

The attic would be converted to provide additional storage for the house. A flat roof dormer would be placed on the rear roof slope with two windows facing east. There are no dwellings directly opposite the subject dwelling to the east and therefore there would be no concerns regarding loss of privacy or overlooking. On this basis, and the inset from the site boundary, it is not considered that the dormer would give rise to any significant impacts of overshadowing, overlooking or loss of privacy.

The applicant hasn't stated what materials are proposed for the dormer. A **condition** should be included that materials must match or be sympathetic to the existing dwelling.

A floor to ceiling height of 2.24m would be achieved. The applicant should note that to be used as habitable accommodation all building regulations must be complied with.

Based on the above, the attic conversion and dormer extension are considered acceptable.

### **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 applicant has not proposed any landscaping works or SuDS as part of the works however, the floorplate of the existing dwelling would only increase marginally as a result of the works. The remaining garden appears to benefit from mature vegetation and grass coverage, with some areas of hardstanding. Consequently, further consideration of green infrastructure is not considered necessary. A **condition** should be included to require the applicant to investigate the possibility of including additional SuDS at the site to improve surface water runoff and add to green infrastructure assets.

### **Water Supply and Wastewater**

Irish Water have not provided a response to this application. From a review of Irish Water maps it does not appear that there would be any infrastructure in the area impacted by the proposed works. 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 area and relates to the provision of residential extensions.

Having regard to:

- the scale and nature of the development,
- the location of the development, and

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- 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.

### **Other Considerations**

#### **Development Contributions**

Existing Extensions: 17 sq.m (garage conversion)

Proposed Extensions: 67 sq.m (44 sq.m habitable / 23 sq.m non-hab attic)

|   |  |
|---|--|
| <b>Are any exemptions applicable?</b>                                       | Yes  |
| <b>If yes, please specify:</b>  | 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. |
| <b>Is development commercial or residential?</b>                            | Residential  |
| <b>Standard rate applicable to development:</b>                             | 119.10   |
| <b>% reduction to rate, if applicable (0% if N/A)</b>                       | 0  |
| <b>Rate applicable</b>  | €119.10  |
| <b>Area of Development (m<sup>2</sup>)</b>                                  | 44   |
| <b>Amount of Floor area, if any, exempt (m<sup>2</sup>)</b>                 | Area of attic 23   |
| <b>Total area to which development contribution applies (m<sup>2</sup>)</b> | 21   |
| <b>Total development contribution due</b>                                   | 21x119.10 = €2,501.10  |

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### **SEA Monitoring Information**

|                             |                       |
|-----------------------------|-----------------------|
| Building Use Type Proposed: | Residential Extension |
| Floor Area:                 | 67 sq.m               |
| Land Type:                  | Urban Consolidation   |
| Site Area:                  | 0.037 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. It is considered that the proposal would be consistent with Council policy in relation to extensions to dwelling houses.

### **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.

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**(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 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



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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 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. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

Revised plans that incorporate all of the following amendments and such amendments shall be implemented fully on site-

- (a) The secondary door on the front elevation serving the extended games room shall be omitted and replaced with fenestration (windows) complementary to the style of the existing dwelling.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

### 4. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2, 501.10 (Two Thousand Five Hundred and One Euro and Ten 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

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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 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.

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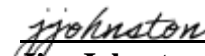
**REG. REF. SD22B/0525**  
**LOCATION: 39, Laurel Park, Dublin 22**



**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 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**