

Deputy Planning Officer

Application No.	WEB1253/13
Proposal	The development will consist of demolition of a rear single storey structure and construction of a new rear single storey extension, comprising of flat roofed ground floor structure and dormer extension to rear of existing roof with 2 roof lights to front.
Location	108, Philomena Terrace, Stella Gardens, Irishtown, Dublin 4
Applicant	David Anderson & Amanda Charters
Date Lodged	04-Nov-2013
Zoning	Zone 2 - DEV PLAN 2011-2017
Application Type	Permission

CR/EE

13/12/13

Site Notice: site notices (x2) in place and in order on 3 Dec. 2013.

Zoning Objective:

The site is zoned Z2 in the CDP 2011-2017

Site Description

The subject site comprises of a single storey, mid-terrace, artisan cottage. The house type, including materials, various external detailing, is of Pembroke Estate type, of which there are examples elsewhere in the Ringsend, Irishtown and Sandymount areas.

Description of Development

Permission is sought for the following:

The development will consist of demolition of a rear single storey structure and construction of a new rear single storey extension, comprising of flat roofed ground floor structure and dormer extension to rear of existing roof with 2 roof lights to front.

Planning History

There is no planning history of valid planning applications relating to the subject site recorded on APAS.

Other relevant planning applications in the vicinity of the site include the following:

2688/09

Permission was sought at 106 Philomena Terrace for internal and external alterations, including demolition of part existing rear extension, construct new single storey rear extension abutting adjoining properties, attic conversion incl. rear dormer front rooflights and replacement windows.

Permission was granted by the PA subject to conditions, of which Condition 2 states:

'The following element(s) shall be permanently omitted from the development:

(a) The proposed dormer level extension and rooflights on the front roof slope shall be omitted.

(b) Revised drawings indicating the amendments specified at (a) shall be submitted to and agreed in writing by the Planning Authority prior to commencement of development.

Reason: In the interests of residential amenities and visual amenity'.

The PA's decision was appealed, and on appeal the Board attached a revised Condition 2; pl 29s 233861 refers. Condition 2 of the ABP decision states:

2. The proposed rooflights on the front roof slope shall be omitted.

Reason: In the interest of visual amenity.

5191/06

Permission was sought for development and retention of development at 84, Veronica Terrace, Stella Gardens, Irishtown, Dublin 4. The development to consist of frosted film to glazed areas shown as rear dormer frosted glazing on previous grant of permission (register reference 1370/06), and also consist of retention of a) alterations to 2 no. windows to sides of rear dormer and b) 2no. rooflights to front roof slope, all to existing single storey end of terrace cottage dwelling. Construction as per previous grant of permission (register reference 1370/06) is currently ongoing.

Permission was refused by the PA for 2 no. reasons, of which Reason 2 states:

2. The rooflights proposed to be retained would, by themselves and by the precedent that the retention of the rooflights would set for other similar development, detract from the character of the residential conservation area in which the application site is located and would, therefore, be contrary to the proper planning and sustainable development of the area.

On appeal the Board issued a split decision; PL29S.221065 refers. The Board's decision is as follows:

GRANT permission for frosted film to glazed areas shown as rear dormer frosted

glazing on previous grant of permission (planning register reference number 1370/06) and retention of alterations to two number windows to sides of rear dormer in accordance with the said plans and particulars based on the reasons and considerations marked (1) under. REFUSE permission for retention of two number rooflights to front roof slope based on the reasons and considerations marked (2) under.

The ABP reason for refusal is as follows:

Having regard to the current development plan for the area, in which the site is located in an area subject to the zoning objective "to protect and/or improve the amenities of residential conservation areas", it is considered that the velux rooflights would detract from the character and amenities of the area and would be contrary to the proper planning and sustainable development of the area.

Pre Planning Meeting(s)

No, as per Item 22 of planning application form.

Submissions/Observations

There is one submission/observation recorded on APAS, which is made on behalf of the

resident of No. 87 Veronica Terrace. No. 87 Veronica Terrace is located to the rear of the application site, i.e., No. 87 is separated from the subject site by a road way, and No. 87 fronts onto this road (Veronica Terrace).

- There is no other drawing on file that looks at the impact of the dormer extension from Veronica Tce. which could be considered a major omission from the planning application
- The urban design quality of the development has not been considered in this regard
- The construction of the dormer must be in line with section 11 – roof extension of the guidelines (CDP)
- The size of the windows in the dormer extension should not be of a scale that would facilitate access to the flat roof extension which would lead it to being used as a balcony area
- The treatment of surface water run off has not been addressed in the current application
- Traffic permeability issues - during construction of rear extension to properties on Philomena Terrace, construction operations have created access difficulties for residents on Veronica Terrace; primarily due to location of skips for removal of construction waste; there is a major concern in regard to service vehicles and emergency services not being able to pass through the area due to skips blocking access; it is recommended that a planning condition be included
- Hours of work

Interdepartmental Report

Drainage Division:

Report on file states no objections, subject to conditions.

Planning Assessment

The design of the proposed first floor level extension alters the character of the original house. Elsewhere in the vicinity of the site, first floor level rear extensions have been permitted by the PA and ABP. The proposed first floor level rear extension in this case does not extend beyond the rear elevation of the main house at ground floor level (disregarding later extensions at ground floor level).

The development proposed in the current WEB1253/13 planning application is similar, but not identical to, the development permitted at 106 Philomena Tce. (see 'Planning History').

The flat roof of proposed first floor extension is shown to match the existing ridge height of the house. Two rooflights are proposed on the front roof slope.

The recommendation to grant PP includes a condition stipulating that the 2 no. rooflights are to be omitted from the proposed development. The planning history relating to WEB2688/09 and 5191/16 are noted in this regard.

The length of the remaining rear garden/yard is shown to be approx. 4375mm, across the entire site width.

Reasons and Considerations:

Having regard to the nature and scale of the proposed development, it is considered that the proposed development would not seriously injure the residential amenities of the area, and subject to compliance with the conditions set out below, it is considered that the proposed development accords with both the CDP and with the proper planning and sustainable development of the area.

Recommendation

Permission with conditions is recommended.

1. Insofar as the Planning & Development Act 2000 (as amended) and the Regulations made thereunder are concerned, the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. The proposed 2 no. rooflights on the front roof slope of the existing dwellinghouse shall be omitted from the proposed development.

Reason: In the interests of visual amenity.

3. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Roads Streets & Traffic Department and the Noise & Air Pollution Section.

Reason: To ensure a satisfactory standard of development.

4. All installations, fittings and materials must be in accordance with appropriate standards and approved in advance by the Water Services Division to ensure their compatibility with Dublin's water supply system and to protect public health.

In addition, full details of all internal installations (including pumps and break pressure tanks) must be provided in advance to the Water Services Division so as to ensure that they are in accordance with the requirements and standards of the Dublin City Council Waterworks Regulations 1975, Bye-Laws for the Management of Water Services and the Conservation of Drinking Water 2003 (both available on www.dublincity.ie) and other appropriate standards.

Connections to existing Dublin City Council watermains will be carried out by the City Council at the expense of the Applicant.

Incoming direct feed pipes shall only feed storage tanks or drinking water points. All appliances and fittings, including central heating units, shall only be fed from internal storage tanks.

The rate of draw off per hour through a service pipe shall be controlled so as not to exceed at any time one twelfth of the maximum daily requirement.

Storage equivalent to 24hours usage (or as specified in the Dublin City Council Waterworks Regulations 1975 - whichever is the greater) shall be provided in all developments.

Any proposals for the use of rainwater, grey water or brown water on the site shall be submitted to the Water Services Division for consideration and approval before construction commences on site. In the interests of public health and good practice, the Applicant shall comply with the requirements of the Water Services Division in this regard.

Covers and frames in footpaths and similar areas shall be Class B standard.

The Water Services Division should be notified at least one week before it is proposed to commence work on site.

Reason: To ensure a satisfactory standard of development.

5. The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (see www.dublincity.ie Forms and Downloads).

- Dublin City Council's Drainage records are indicative and must be verified on site. The Developer must carry out a comprehensive site survey to establish all drainage services that may be on the site. If drainage infrastructure is found that is not on Dublin City Council's records the Developer must immediately contact Dublin City Council's Drainage Division to ascertain their requirements. Detailed 'as-constructed' drainage layouts for all diversions, extensions and abandonment of the public drainage network; in both hard and soft copy in an approved format; are to be submitted by the Developer to the Drainage Division for written approval. See section 5 of the above-mentioned Code of Practice for more details.

- The drainage for the proposed development shall be designed on a completely separate system with a combined final connection discharging into the public combined sewer system.

- All private drain fittings such as, downpipes, gullies, manholes, Armstrong Junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve.

- The development shall incorporate Sustainable Drainage Systems.

- Demolition: The Developer shall take care to protect all public sewers that may be affected by these demolition works, in particular no debris should be allowed to enter the public sewerage system. Where possible the Developer must disconnect and cap all drainage links from the private site in order to prevent any demolition debris entering the public network.

Reason: To ensure a satisfactory standard of development.

6. The site and building works required to implement the development shall only be carried out between the hours of:

Mondays to Fridays - 7.00am to 6.00pm

Saturday - 8.00 a.m. to 2.00pm

Sundays and Public Holidays - No activity on site.

Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

7. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 'Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control.'

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

8. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

9. Before this development commences, a financial contribution in the sum of Euro 460.84 shall be paid by the Applicant to Dublin City Council under Section 48 of the Planning and Development Acts 2000-(as amended) .The contribution shall be payable prior to commencement of development or as otherwise agreed by the Council. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the Dublin City Council Development Contribution Scheme 2013-2015.

Reason: Investment by Dublin City Council in public infrastructure and facilities benefiting development in the area, and that is provided, or that is intended will be provided, by or on behalf of the Council. It is considered appropriate and reasonable that the developer should contribute to the cost of same.