

Comhairle Chontae Atha Cliath Theas

PR/1571/21

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0528 **Application Date:** 12-Oct-2021
Submission Type: New Application **Registration Date:** 12-Oct-2021
Correspondence Name and Address: Donal O Connell 3, Summerville Park, Rathmines, Dublin 6
Proposed Development: Single storey rear garden home entertainment room and home gym.
Location: 41A, Dodsborough Cottages, Shackleton Way, Lucan, Co. Dublin, K78C6W0
Applicant Name: Amanda Carpenter & Gerard Sweeney
Application Type: Permission

(DF)

Description of Site and Surroundings:

Site Area:
Stated as 0.076 ha

Site Visit: 4 November 2021

Site Description:

The subject site is a two-storey detached unit with a rear garden located within an established residential area. The surrounding streetscape is characterised by predominantly terraced and semi-detached units.

Proposal:

Single storey rear garden home entertainment room and home gym.

SEA Sensitivity:

No overlap identified with relevant environmental layers

Zoning:

The subject site is subject to zoning objective RES - *'To protect and / or improve Residential Amenity'* in the South Dublin County Development plan 2016-2022.

Consultations:

Water Services-Additional information requested

Submissions/Observations /Representations

Final date for submissions 15/11/21. No objections received

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Relevant Planning History

Subject site

SD18A/0101. 5 bedroom detached 2 storey house in the rear garden of site, new boundary walls, 2 car spaces to front of house and all associated site works. The entrance to new house exits onto Shackleton Way
Grant Permission

Adjacent sites

SD19A/0217. Dividing the site into two plots; erecting a new 4 bedroom, detached three storey house in the rear garden of site, new boundary walls, 2 car spaces to front of house and all associated site works; the entrance to new house exits onto Shackleton Way.
Grant Permission

SDZ17A/0001. Amendments to planning permission, Reg. Ref. SDZ16A/0003, comprising of changes to permitted house types A, A1, B and B1 (relating to 156 dwellings out of a total 267 dwellings (as permitted) as follows: (a) House Type A - amended layout of permitted 4 bedroom house resulting in increase in overall floor area from 150sq.m to 164sq.m (73 units), increase in ridge level from 10.155m to 10.975m and minor modifications to elevations including change of box dormer window to apex style dormer window; (b) House Type A1 - amend layout of permitted 4 bedroom house resulting in increase in overall floor area from 153sq.m to 165sq.m (12 units), increase in ridge level from 10.155m to 10.975m and minor modifications to elevations including changes of box dormer window to apex style dormer window; (c) House Type B - amended layout of permitted 3 bedroom house resulting in increase in overall floor area from 110sq.m to 114sq.m (reduction in number of units from 67 to 66 units), increase in ridge level from 9.403m to 9.89m and minor modifications to elevations; (d) House Type B1 - amended layout of permitted 3 bedroom house resulting in increase in overall floor area from 112.8sq.m to 114sq.m (increase in number of units from 5 units to 6 units), increase in ridge level from 9.403m to 9.89m and minor modifications to elevations. Permission is also sought for all associated site and site development works. There is no change to the number of units previously permitted under Reg. Ref. SDZ16A/0003.
Grant Permission

SDZ16A/0003. 267 dwelling units comprising of the following; 199 houses consisting of 107 four bedroom houses, 86 three bedroom houses and 6 five bedroom houses in a mix of two and three storey terrace, semi-detached and detached units ranging in size from 110sqm to 165sqm. 60 apartments (referred to as Block A) consisting of 49 two bedroom units, 9 one bedroom units and 2 three bedroom units ranging in size from 47sqm to 98sqm in a 3 - 4 storey apartment block over basement car park (86 spaces) and 8 duplex/apartment units (referred to as Block B) consisting of 4 three bedroom duplexes, 3 two bedroom duplexes and 1 one bedroom apartment ranging in size from 54sqm to 111sqm in a 3 - 4 storey residential block. Private and semi-private open space to serve the proposed units will be provided in the form of balconies, terraces,

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gardens, courtyards and roof terraces. The proposed development includes associated landscaping, 534 car parking spaces, bin storage areas and all associated site development and infrastructural works. Vehicular access to serve the residential development will be taken from 4 access points off Adamstown Drive, a proposed 6.5m wide east-west road (c.485m in total) connecting to the existing Dodsboro Road/Tandy's Lane in the east. The new road will make provision for vehicular traffic, online bus services, car parking as required, pedestrian footpaths and cycle paths. Permission is also sought for the upgrade of c.257m of Dodsboro Road/Tandy's Lane from the existing junction of Dodsboro Road and Dodsboro Cottages, tying back into Dodsboro Road/Tandy's Lane adjacent to the former Airlie Studfarm. A new signal controlled crossroads providing access to the proposed residential development will be provided at a point c.143m south of the existing junction of Dodsboro Road and Dodsboro Cottages. The upgraded carriageway of the Dodsboro Road/Tandy's Lane provision for vehicular traffic, bus lanes and right turning lanes as required and will be flanked on both sides by cycle paths. To the east of the proposed crossroads, permission is sought for a new 6.5m wide road of c.360m in length connecting to the existing road network. This new road will make provision for vehicular traffic, car parking as required, pedestrian footpaths and cycle paths. A crossroads will be provided on this section of the road at a point of c.235m from the proposed crossroads on the Dodsboro Road all on lands bound generally by Dodsboro Cottages to the north, Dodsboro Road/Tandy's Lane to the east and future development lands in Adamstown SDZ to the south and west.

Grant Permission

SD05A/0363. Single storey extension to rear for use as a preschool childcare facility.

Grant Permission

Relevant Enforcement History

None recorded for the subject site

Pre-Planning Consultation

None recorded for the subject site.

Relevant Policy in South Dublin County Council Development Plan 2016 - 2022

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Policy H18 – Residential Extensions.

H18 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 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

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Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3(i) Additional Accommodation - Extensions.

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

The House Extension Design Guide, *Section 4*:

- *Outside space*
- *Do not overlook, overshadow or have an overbearing impact on neighbouring properties*
- *Rear extension*
- *Front extension*

South Dublin County Council House Extension Design Guide (2010)

The House Extension design guide contains the following guidance on house extensions:

- *Respect the appearance and character of the area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing impact on neighbouring properties;*
- *Conserve water and save energy where possible.*

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 (2008).

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).

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

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Assessment

The main issues for assessment relate to Zoning and Council policy, Residential and Visual Amenity, and water services.

Zoning and Council policy

The site is located in an area with zoning objective 'RES', '*To protect and / or improve Residential Amenity*'. The proposed development is permitted in principle within the 'RES' zoning objective, subject to its design being in accordance with the relevant provisions in the Development Plan.

Residential and Visual Amenity

- The proposed structure will have an internal floor area of 37.25sq.m (as stated) and will be used as a home gym and entertainment room (as stated). It will have an overall height of 3.966m to the pitched roof ridge. Notwithstanding the proposed size and bulk of the structure it is not considered that it would have a significant overbearing impact on neighbouring residential amenity subject to it be relocated southwards by a minimum of 0.5m and away from this shared boundary. This can be achieved by way of condition.
- A door and windows will be located on the southern elevation facing the existing house. No unnecessary overlooking would arise from the proposed structure and is acceptable in this regard.
- Approximately 130sq.m of rear amenity space will remain. This satisfies CDP policy requirements.

Having regard to the above, the Planning Authority has assessed the proposed development and considers that the proposed works do not have an adverse impact, subject to conditions, on the residential amenity of the adjacent properties.

Water Services

Water Services has requested further information regarding soil percolation. A suitable planning condition will address this.

An additional condition of permission should be attached to require that any water supply or wastewater infrastructure to/from the structure shall be omitted and will require a separate planning application. This is in the interests of public health.

Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the scale and nature of the development proposed and the distance from Natura sites, it is considered that the development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 Appropriate Assessment is not required.

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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

Single storey rear garden home entertainment room and home gym; 37.25sq.m ancillary rear structure to be used as a gym/entertainment room.

No contributions required

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – additional floor space	37.25sq.m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.076

Conclusion

The Planning Authority is satisfied that the proposed development, subject to conditions, will comply with policies and objectives set out in the South Dublin County Development Plan and House Extension Guidelines, and should be granted subject to conditions.

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 2016 - 2022 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 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. Re-location of Structure.
The 37.25sq.m structure shall be relocated in a southerly directly, away from the northern-shared boundary, by c.0.5 metres.
REASON: In the interests of residential amenity and proper planning and sustainable development.
3. Water.
No water supply or wastewater infrastructure shall be provided to/from the structure. For clarity, any proposed connections shall require a separate planning application.
REASON: This is in the interests of public health and to ensure that the structure will not be used as a separate dwelling.
4. Soakaway.
Prior to the commencement of development, the following shall be submitted for the written agreement of the Planning Authority:
 - (i) a report showing site specific soil percolation test results and design calculations for the proposed soakaway, which shall be in accordance with BRE Digest 365 - Soakaway Design,
 - (ii) A revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway (Any proposed soakaway shall be located fully within the curtilage of the property) and shall be:
 - (a) At least 5m from any building, public sewer, road boundary or structure.
 - (b) Generally, not within 3m of the boundary of the adjoining property.
 - (c) Not in such a position that the ground below foundations is likely to be adversely affected.
 - (d) A minimum of 10m from any sewage treatment percolation area and from any watercourse / floodplain.
 - (e) Soakaways shall include an overflow connection to the existing surface water drainage network.
REASON: In the interests of public health, the proper planning and sustainable

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development of the area and in order to ensure adequate drainage provision.

5. Drainage - Irish Water.

(a) The drainage infrastructure, shall comply with the requirements of Irish Water.

(b) All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate drainage provision.

6. (a) External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the existing house or its context.

REASON: In the interest of visual amenity.

(b) Restriction on Use.

The 37.25sqm structure shall be used solely for uses incidental to the existing dwelling and shall not be used for habitable purposes, or for any commercial purposes, and 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 existing single dwelling unit.

REASON: To prevent unauthorised development.

(c) 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.

(d) 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

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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 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.

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/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.


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REG. REF. SD21B/0528

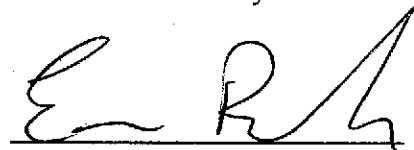
**LOCATION: 41A, Dodsborough Cottages, Shackleton Way, Lucan, Co. Dublin,
K78C6W0**


**Tracy McGibbon,
A/Senior 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:

6/12/21


Eoin Burke, Senior Planner