

Comhairle Chontae Atha Cliath Theas

PR/1606/21

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0554 **Application Date:** 01-Nov-2021
Submission Type: New Application **Registration Date:** 01-Nov-2021
Correspondence Name and Address: Tara Ward 4, Carrigmore Close, Aylesbury, Tallaght, Dublin 24
Proposed Development: Single storey detached gym/office with w.c and single pitched roof over in rear garden.
Location: 39, Ely View, Dublin 24
Applicant Name: Anthony Rooney
Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.02 Hectares on the application.
Site Visit: 24th of November 2021.

Site Description

The subject site is located on Ely View, a cul-de-sac in an existing housing estate in Oldcourt. The site consists of a two storey, semi-detached dwelling with a hipped roof. The streetscape consists of housing of a similar form and character.

Proposal

Permission is sought for the construction of a single storey detached gym/office with w.c. and single pitched roof over in rear garden.

Zoning

The subject site is subject to zoning objective 'RES': *'To protect and/or improve residential amenity'* under the South Dublin County Development Plan 2016-2022.

Consultations

Water Services – no objection subject to conditions.
Irish Water – no objection subject to conditions.

SEA Sensitivity Screening – no overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

None received.

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Relevant Planning History

None relevant to the subject site.

Relevant Enforcement History

None recorded for the subject site according to APAS.

Pre-Planning Consultation

None recorded for the subject site according to APAS.

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

2 Housing

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 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).

7 Infrastructure & Environmental Quality

Policy IE 1 Water & Wastewater

Policy IE 2 Surface Water & Groundwater

Policy IE 3 Flood Risk

Policy IE 7 Environmental Quality

8 Green Infrastructure

Policy G1 Overarching

Policy G5 Sustainable Urban Drainage Systems

9. Heritage, Conservation & Landscapes

Policy HCL2 Natura 2000 sites

11 Implementation

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.6.0 Infrastructure and Environmental Quality

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Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

The House Extension design guide contains the following guidance on house 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.*

Rear extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Make sure enough rear garden is retained*

Relevant Government Guidelines

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).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The subject site is within zoning objective 'RES': *'To protect and/or improve residential amenity'*. The proposed single storey office/gym is permitted in principle subject to its

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accordance with the relevant provisions in the South Dublin County Council Development Plan 2016-2022.

Visual and Residential Amenity

The proposed development is for the construction of an approx. 25.3sq.m single storey detached structure to the rear of the existing dwelling. An external door and window are proposed on the front (western) elevation of the structure. It would have a mono-pitched roof and be approx. 2.5m to 3.2m in height.

The proposed materials and finishes of the structure are not indicated. It should be **conditioned** that all external finishes shall harmonise in colour or texture that is complementary to the house or its context.

The structure would not be setback from the rear and side boundaries of the site. It is noted that there are a number of similar detached structures at the rear of the adjoining and surrounding properties. The structure would be located approx. 6.5m from the rear elevation of the existing dwelling. The remaining rear amenity space is considered to be sufficient in this instance.

The stated use of the structure is for a gym, office and w.c. A **condition** should be attached to any grant of permission stating that the use must remain ancillary to the main dwelling, and it is not to be used for separate accommodation or commercial purposes.

Given its scale and location, the development would not have a significant adverse impact on the residential amenity of adjoining and surrounding properties and would be considered visually acceptable. The application would therefore be in accordance with the proper planning and sustainable development of the area and in compliance with Council policy.

Services and Drainage

Water Services has reviewed the proposed development and has no objections subject to standard conditions including:

1.1 The applicant is required to include Water Butts as part of Sustainable Drainage Systems (SuDS) features for the proposed development. The applicant should also consider other SuDS features such as a green roof on proposed building to rear of existing dwelling.

Irish Water has reviewed the proposed development and has no objections subject to standard conditions.

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

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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. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Development Contributions

Proposed structure 25.3sq.m
Assessable area = Nil

SEA monitoring

Building Use Type Proposed: Residential
Floor Area: 25.3sq.m
Land Type: Brownfield/Urban Consolidation.
Site Area: 0.02 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 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 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.

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 -

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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.

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. 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.
3. Restrictions on Use.
The use of the development for residential purposes shall be restricted to a residential use directly associated with the use of the existing house on the site for such purposes, and the structure shall not be sub-divided from the existing house, either by way of sale or letting (including short-term) or otherwise.
REASON: In the interests of proper planning and sustainable development of the area.
4. Drainage - Surface Water
The disposal of surface water shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit for the written agreement of the Planning Authority information demonstrating water butts and a greef roof on the detached structure will be included as part of Sustainable Drainage Systems (SuDS) measures for the proposed development.
REASON: In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.
5. Drainage - Irish Water.
 - (a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.
 - (c) All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal and the Greater Dublin Regional Code of

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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.

6. 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.

7. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no 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 be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor 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.

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.

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REG. REF. SD21B/0554

LOCATION: 39, Ely View, Dublin 24

jjohnston

Jim Johnston,
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: 14/12/21



Eoin Burke, Senior Planner