

Comhairle Chontae Atha Cliath Theas

PR/0517/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0075 **Application Date:** 17-Feb-2022
Submission Type: New Application **Registration Date:** 17-Feb-2022
Correspondence Name and Address: Daniel McKeogh Farbill House, Unit 6, Athlone Road, Kinnegad, Co. Westmeath
Proposed Development: (1) Demolish existing garage; (2) erect new garage with solar PV panels on the south facing roof and (3) all ancillary site services.
Location: Hillview, Athgoe Road, Newcastle, Co. Dublin
Applicant Name: Paul Begley
Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Visit: 31/03/2022

Site Area: 0.6289 as stated

Site Description:

The site is located at Hillview, Athgoe Road, to south-west of Newcastle village in a rural area. The site, which contains a part single storey, part two storey dwelling with hip pitched roofs is located at a junction of Lyons Road and Athgoe Road. The site is bounded by mature trees and hedgerow. The area is predominately rural in nature with residential units and some commercial development in close proximity. Newcastle House is located to the rear of site.

Proposal:

- Demolish existing garage;
- Erect new garage with solar PV panels on the south facing roof and all ancillary site services.
- Total works area 67sqm

Zoning:

The subject site is subject to zoning objective 'RU': *'To protect and improve rural amenity and to provide for the development of agriculture'*.

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Consultations:

Irish Water – Not applicable.

Water Services - Further information required.

SEA Sensitivity Screening

- Site of Geological Interest
- Areas Of Archaeological Potential 2016
- Record Of Monuments And Places 2016

Submissions/Observations /Representations

None recorded for subject site.

Relevant Planning History

Subject Property

SD07A/0674 – **Permission Granted** for minor elevational and plan changes, including a revised roof and ridge profile, amended windows, single storey garden store incorporated into the rear of the house and amended rear wall profile, all to a previously permitted (Reg. Ref. SD06A/0466) part single storey, part 2 storey, 5 bedroom dwelling with integrated double garage and ancillary site works.

SD06A/0466 – **Permission Granted** to demolish existing dwelling and construct new part single storey, part 2 storey, 5 bedroom dwelling with integrated double garage and ancillary siteworks.

SD05A/0522 – **Refuse Permission** for construction of 2 storey 4 bedrooled house with integrated double garage and new entrance with ancillary site works

Adjacent Properties

SD03B/0378 - Athgoe Road, Newcastle, Co Dublin – **Permission Granted** to erect a double garage and storage area for domestic use.

SD04B/0513 - Athgoe Road, Newcastle, Co Dublin – **Permission Granted** for two storey extension at side.

SD04B/0440 - Athgoe Road, Newcastle, Co Dublin – **Permission Granted** for two storey extension to side of house and front to facilitate ground floor bedroom and bathroom for parent and kitchen extension and first floor master bedroom.

Relevant Enforcement History

None

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Pre-Planning Consultation

None.

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

Section 2.4.1 Residential Extensions

Policy H17 – Residential Consolidation:

- It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

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 2:

- 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).

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

Section 2.5.8 Rural House & Extension Design

Policy H27 Rural House & Extension Design

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It is policy of the Council to ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.

H27 Objective 1:

Ensure that all new rural housing and extensions within areas designated with Zoning Objective 'RU' (to protect and improve Rural Amenity and to provide for the development of Agriculture), Zoning Objective 'HA-DM' (to protect and enhance the outstanding natural character of the Dublin Mountains Area), Zoning Objective 'HA-LV' (to protect and enhance the outstanding character and amenity of the Liffey Valley) and Zoning Objective 'HA-DV' (to protect and enhance the outstanding character and amenity of the Dodder Valley):

- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and
- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; and
- Retains and reinstates traditional roadside and field boundaries; and
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and
- Would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards; and
- Would not create or exacerbate ribbon or haphazard forms of development.

South Dublin County Council House Extension Design Guide (2010)

Rear Extensions:

- *Match or complement the style, materials and details of the main house*
- *Make sure enough rear garden is retained.*

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 Rural Housing Guidelines for Planning Authorities DoEHLG (2005)

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Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and Visual Amenity
- Services Water and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

The site is located within the zoning objective 'RU': *'To protect and improve rural amenity and to provide for the development of agriculture'*. Residential is Open for Consideration including a development of a detached garage under this zoning if it is in accordance with Council policy for residential development in rural areas.

Residential & Visual Amenity

Residential Amenity

The proposed development is to the rear of a detached rural single storey dwelling on a large, gated site. The existing garage is located to the rear of the main property to the west of the site bounded by Lyons Road. There are houses in the immediate vicinity including an adjacent dwelling directly to the south. Overall, the proposed development will provide 67sqm of garage space, replacing the 55sqm existing garage.

Given the large area of the site as a whole at over 0.6 of a hectare, the proposed development would not have any adverse impact on the outdoor amenity space for the inhabitants. It is considered that the proposed development would not have an adverse effect on the residential amenity of the area.

Visual Amenity

The proposal consists of a single storey garage with a pitched roof and rendered walls to match the existing house. The ridge height will be 5.483m and will extend 11.7m along the boundary with Lyons Road which will be partially obscured by the existing hedgerow and tree line. It is intended that there will be a window and a porthole window on the eastern elevation and a porthole window on the western elevation with two roller shutters and a door on the southern elevation. It is further intended that there will be 22 solar PV panels covering the entire roof of the southern elevation. Given the treeline and hedgerow obscuring the view from Lyons Road and the distances to any neighbouring dwellings, it is considered that the proposed development would not have an adverse effect on the visual amenity of the area.

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Services & Drainage

Surface Water Report:

Further Information Required:

1.1 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

1.2 The applicant is required to submit 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:

- i) At least 5m from any building, public sewer, road boundary or structure.
- ii) Generally, not within 3m of the boundary of the adjoining property.
- iii) Not in such a position that the ground below foundations is likely to be adversely affected.
- iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
- v) Soakaways must include an overflow connection to the surface water drainage network.

1.3 Should a soakaway prove not to be feasible, then the applicant shall submit the following:

- a) Soil percolation test results demonstrating a soakaway is not feasible
- b) A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features

Note: If the planning department decide to grant planning permission for this development, then the applicant shall submit the above information prior to commencement of development for written agreement from the Planning Authority.

1.3 The applicant shall include Water Butts as part of Sustainable Drainage Systems (SuDS) measures for the proposed development.

- All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal

Flood Risk Report:

No objection subject to:

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- The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

Irish Water

Not applicable.

Conclusion

The report from Water Services is noted and it is considered that these issues can be dealt with by way of **condition**.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development and the distance from Natura sites, it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

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.

Development Contributions

Development Contributions Assessment Overall Quantum

Proposed Non Habitable Garage:	67sqm
Assessable Area:	0sqm

SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 67sqm

Land Type: Urban Consolidation.

Site Area: 0.6289 Hectares

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Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development proposed it is considered that, subject to the 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 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.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety 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. Drainage - Surface Water.
Prior to the commencement of development the applicant shall submit the following 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 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

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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) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
- e) Soakaways must include an overflow connection to the surface water drainage network.

iii) Should a soakaway prove not to be feasible, then the applicant shall submit the following:

- a) Soil percolation test results demonstrating a soakaway is not feasible
- b) A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features

iv) The applicant shall include Water Butts as part of Sustainable Drainage Systems (SuDS) measures for the proposed development.

REASON: In the interest of sustainable development, proper planning and health and safety.

3. (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.

(b) Restriction on Use.

The house and the proposed garage 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.

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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 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

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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 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.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

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.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.


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REG. REF. SD22B/0075

LOCATION: Hillview, Athgoe Road, Newcastle, Co. Dublin



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: 13/4/22



Eoin Burke, Senior Planner