

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0055 **Application Date:** 09-Feb-2022
Submission Type: Additional **Registration Date:** 21-Apr-2022
Information

Correspondence Name and Address: David Doran 4, Ludford Drive, Dundrum, Dublin 16,
D16K282

Proposed Development: Construction of a new domestic shed including all
associated site works.

Location: Highdown Hill, Newcastle, Co Dublin

Applicant Name: David Hickey

Application Type: Permission

(SW)

Description of Site and Surroundings:

Site Area: Stated as 0.17

Site Description:

The subject site is located within the Highdown Hill rural area of Newcastle. The subject dwelling is a detached bungalow, with a gable roof profile. There is an existing garage to the north of the main dwelling.

Proposal:

Development will consist of:

Construction of a new domestic shed including all associated site works.

Zoning:

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

Consultations:

Surface Water Drainage: Additional information requested.

Irish Water: No objection subject to conditions.

Environmental Health Officer:

Parks: No comments.

SEA Sensitivity Screening

Indicates overlap with Rural 2016.

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

Submissions/Observations /Representations:

None recorded.

Relevant Planning History:

Application Site:

SD05B/0194 Erection of a domestic garage. File Ref No. P2358/78. **PERMISSION GRANTED**

Adjacent sites

SD18A/0083: Highdown Hill, Newcastle, Co. Dublin.

To construct a dwelling house together with a waste water treatment system and associated soil polishing filter, upgrade of existing access, site development works and services.

Decision: **REFUSE PERMISSION.**

SD09B/0130/EP: A 90sq.m ground floor family flat and a 56sq.m first floor dormer extension to side and relocation of septic tank in side garden.

Decision: **GRANT EXTENSION OF DURATION OF PERMISSION TO EXPIRE 3RD FEBRUARY 2020.**

SD09B/0130: A 90sq.m ground floor family flat and a 56sq.m. first floor dormer extension to side and relocation of septic tank in side garden.

Decision: **GRANT PERMISSION.**

SD03A/0825: Dormer bungalow and septic tank.

Decision: **GRANT PERMISSION.**

S01A/0277: Athgoe North, Newcastle, Co. Dublin.

Extension and alterations to include new living room, house office and conservatory to house and all associated site works.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

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.

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

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).

Policy H27 Rural House and Extension Design

- 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.

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

Section 11.3.1 (v) Privacy

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

Relevant Government Guidelines:

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

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).

Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities, 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).

Assessment

The main issues for assessment relate to the following:

- Zoning and Council policy,
- Residential and Visual Amenity,
- Services and Drainage,
- Screening for Appropriate Assessment,
- Screening for Environmental Impact Assessment,

Zoning and Council Policy

The site is located in an area which is zoned 'RU' 'To protect and improve rural amenity and to provide for the development of agriculture'. South Dublin County Council Development Plan 2016-2022. Rural extensions should satisfy the requirements of Policy H27.

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

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

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; **the shed would have a lower ridge than existing dwelling. Further details of materials are required, as well as full contiguous elevations to fully gauge impact.**
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; **no significant negative impacts**
- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; **The site is situated at the raised end of the site. It is not apparent whether any cut and fill would be required for the proposal. The applicant is requested to provide details**
- Retains and reinstates traditional roadside and field boundaries; **The proposal relies on an access on the southern boundary, through the existing hedge. It is not apparent whether this has planning permission.**
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; **It is not clear whether engineered solutions are required. Applicant is requested to clarify.**
- Would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards; **the EHO has requested further information regarding the location of the septic tank and percolation area.**
- Would not create or exacerbate ribbon or haphazard forms of development. **N/A proposal is for a non-habitable shed.**

Residential and Visual Amenity

The proposed detached shed structure would be situated to the south of the existing dwelling. A shed has previously been granted permission to the north. The proposed shed is not adjacent to any other residential properties and would not have a negative impact on the existing dwelling, as it is apparent it would replace an existing shed structure. The proposal is to the side and does not appear to have a significant impact on the rear amenity space for the existing dwelling. The applicant is requested to clarify how much space would remain following the development via **additional information.**

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

In terms of visual amenity, the applicant is requested to provide further details of the proposed materials, including images, as well as full contiguous elevations, showing all relevant structures and natural features, as well as any changes in levels across the site as a result of the proposed development.

Services and Drainage

Irish Water has raised no objections, subject to conditions.

Water Services has requested **additional information** regarding surface water.

The EHO has stated the following “*The septic tank and percolation area are not indicated on the site layout plan. The locations should be included on this plan including distances from the proposed development and house*”. **Additional information** is, therefore, requested.

Roads

Roads has stated “*Construction of a new domestic shed including all associated site works. The development has not identified the vehicle access on the south boundary, Roads require details of this access*”.

Additional information has been requested.

Screening for Appropriate Assessment

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

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 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.

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

Other Considerations

Development Contributions

- Proposal is for a detached shed structure (non-habitable)

SEA Monitoring Information

- Building Use Type Proposed – non-habitable shed
- Floor Area (sq.m.) 80
- Land Type Brownfield/Urban Consolidation
- Site Area (Ha.) 0.17

Conclusion

Having regard to the:

- provisions of the South Dublin County Council Development Plan,
- the 'RU' zoning objective,
- the lack of information provided regarding design, layout, access and surface water

it is considered that **additional information** is required to ensure 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

Request additional information.

Additional Information

Additional information requested: 4 April 2022

Additional information received: 21 April 2022

Consultations:

Water Services: No objections, subject to conditions.

Parks: No further comments.

Roads: No objections, subject to conditions.

EHO: No objections, subject to conditions.

Item 1:

(a) The applicant has not submitted surface water drainage plans for the proposed development. The applicant is requested to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

by emailing: servicemaps@sdublincoco.ie.

(b) The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is required to submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development.

Note: Where a soakaway is proposed, the applicant is required to submit soil percolation test results, design calculations and dimensions to the Planning Authority to demonstrate that the proposed soakaway is feasible in accordance with BRE Digest 365 – Soakaway Design. The applicant is requested to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway to the Planning Authority. 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.

Applicant's response:

The applicant has provided details of a rain garden. Existing drainage indicated on Dwg DH001.A.

Assessment:

Water services has raised no objections, subject to conditions.

Item 2:

The applicant is requested to provide the following revised plans:

- (a) layout, including delineated rear garden, all areas of hardstanding, trees and hedgerow, as well as contours (existing and proposed). The layout plans should also indicate the septic tank and percolation area, as well as distances from the proposed development and house.
- (b) details of any retaining structures (proposed).
- (c) full contiguous elevations, which also indicate any change in land profile (existing and proposed).

Applicant's response:

DH001.A layout plan provided.

Rear garden indicated.

Retaining structures proposed adjacent to house / driveway / shed.

Contiguous elevations provided – new driveway now proposed to access shed.

Assessment:

Below provides an amended assessment in relation to Policy H27 – changes from initial assessment are set out in **bold**:

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

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; the shed would have a lower ridge than existing dwelling. Further details of materials are required, as well as full contiguous elevations to fully gauge impact. **The applicant has provided contiguous elevations which indicate that the shed would not be as high as the existing dwelling. This is considered acceptable. A condition is recommended in the event of grant seeking materials to match the existing dwelling.**
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; no significant negative impacts
- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; The site is situated at the raised end of the site. It is not apparent whether any cut and fill would be required for the proposal. The applicant is requested to provide details. **The applicant appears to be cutting for the driveway, however, this still reflects the existing levels.**
- Retains and reinstates traditional roadside and field boundaries; The proposal relies on an access on the southern boundary, through the existing hedge. It is not apparent whether this has planning permission. **Access proposed to the west.**
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; It is not clear whether engineered solutions are required. Applicant is requested to clarify. **Retaining walls indicated – extended existing retaining wall to the front of the house, retaining wall adjacent to shed. The extent of the proposed retaining walls is considered acceptable.**
- Would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards; the EHO has requested further information regarding the location of the septic tank and percolation area. **The EHO has stated "It is noted the applicant has submitted further information detailing the location of the septic tank and percolation area. The proposed shed is not located**

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

within close proximity to the existing septic tank and percolation area and therefore Environmental Health do not have any concerns in this regard". There are no objections, subject to conditions.

- Would not create or exacerbate ribbon or haphazard forms of development. N/A proposal is for a non-habitable shed.

It is considered that the proposed development now meets the requirements of Policy H27.

Item 3:

(a) It is noted that the vehicular access to the south has been added since the previous grant of planning permission (Reg ref: SD05B/0194). The applicant is requested to clarify when this vehicular access was added. Should the applicant wish to seek retention permission for the access then revised notices would be required to include same.

(b) The floorplans indicate the shed would be used for classic car storage, as such, vehicular access is required. In the event that the applicant is unable to use the access to the south, the applicant is requested to clarify how cars would access the proposed storage area, e.g. from the existing access at the west boundary.

(c) The applicant is requested to provide a revised layout of not less than 1:100 scale, showing accurate visibility splay with a 2.4 meters set back, at a 1.05 meter height from ground level and 49 meters sight lines in both directions from the existing entrance on the south boundary.

(d) The applicant is requested to submit a revised layout of not less than 1:100 scale, showing a separate 3.5m wide access at the south boundary, should the applicant wish to retain this access.

Applicant's response:

The applicant is proposing to use the western access for vehicles.

Assessment:

The Roads Department has stated "*The applicant is proposing access the shed by the existing vehicle access point in the western boundary. Roads are satisfied with the response*". There are no objections to the proposed access. A condition is recommended in the event of grant restricting the access on the southern boundary to non-vehicular.

Other Considerations

Development Contributions

- Proposal is for a detached shed structure (non-habitable)

SEA Monitoring Information

- Building Use Type Proposed – non-habitable shed
- Floor Area (sq.m.) 80
- Land Type Brownfield/Urban Consolidation
- Site Area (Ha.) 0.17

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

Conclusion

The proposed development, alongside the additional information submitted, generally complies with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and the South Dublin County Development Plan 2016 – 2022 (Specifically Policy H27), and with the attachment of the following conditions would accord 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, and as amended by Further Information received on 21 April 2022, 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. Access.
The existing access on the southern boundary of the site shall not be used for vehicular access.
REASON: In the interests of safety.
3. Water Services.
(a) Prior to commencement of development the applicant shall submit the following information for written agreement from South Dublin County Council:
- a drawing showing the proposed surface water drainage layouts up to and including the

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

point of connection to the proposed rain garden. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks.

- a drawing showing a cross sectional detail of proposed rain garden which clearly demonstrates how rain water will discharge to and from rain garden.

- a report showing site specific soil percolation test results and design calculations for the proposed rain garden in accordance with Ciria report 156-Infiltration Drainage standards.

REASON: In the interests of public health, the proper planning and sustainable development of the area.

4. Drainage.

(a) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

(c) All development shall be carried out in compliance with Irish Water Standards codes and practices.

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.

5. Environmental Health.

No heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 08:00 hours on weekdays and 09:00 on Saturdays nor after 19:00 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays. Any work outside of these hours shall only be permitted following a written request to the Planning Authority and 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 unwanted noise outside the hours stated above.

REASON: In the interests of Public Health.

6. Restriction on Garage Use.

The garage shall be used solely for purposes incidental to the enjoyment of the dwelling house as such and shall not be used for habitation or the carrying on of any trade or business, and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling

REASON: In the interest of residential amenity.

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

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.

Comhairle Chontae Atha Cliath Theas

PR/0623/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0055

LOCATION: Highdown Hill, Newcastle, Co Dublin

Colm Harte

**Colm Harte,
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:

8/9/22

Eoin Burke

Eoin Burke, Senior Planner