

# Comhairle Chontae Atha Cliath Theas

**PR/0653/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22B/0136      **Application Date:** 01-Apr-2022  
**Submission Type:** New Application      **Registration Date:** 01-Apr-2022  
**Correspondence Name and Address:** Peter Kavanagh, Dublin Planning 77, Lower Camden Street, St. Kevin's, Dublin 2  
**Proposed Development:** Pitched roof single storey extension to western side and rear of property with associated site works.  
**Location:** St. Anthonys, Ballydowd, Lucan, Co. Dublin  
**Applicant Name:** Allison Davis and Stephen O' Shaughnessy  
**Application Type:** Permission

(NM)

### **Description of Site and Surroundings:**

**Site Visit:** 02/05/2022

**Site Area:** Stated as 0.078 Hectares.

### **Site Description:**

The subject property is located at the intersection of Roselawn and the Lucan Road (R835). The existing dwelling is situated on a large corner site with vehicular access from the Lucan Road. It is a single storey dwelling currently in an L shape with a pitched roof. The area is primarily residential in nature which is characterised by varying building heights and types. The Lucan Road is a busy thoroughfare and the site is bounded by a low wall and mature shrubs and trees.

### **Proposal:**

- Pitched roof single storey extension to western side and rear of property with associated site works.
- Total area of works 61sqm.

### **Zoning:**

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity'.

### **Consultations:**

Surface Water Drainage – Additional Information required.

Irish Water – No objections subject to conditions.

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### **SEA Sensitivity Screening**

No overlaps indicated.

### **Submissions/Observations /Representations**

None received

### **Relevant Planning History**

#### *Subject Site:*

SD17B/0392 – Permission for Retention granted for ground floor ensuite at rear of dwelling.

SD19B/0434 – Permission Granted for demolition of existing single storey extension to the south of existing cottage and bay window to the east; construction of a single storey extension to the west of the cottage comprising of entrance hall, cloak room, utility, dining room and new kitchen; construction of a single storey extension to the east of the cottage comprising of a few wc, bedroom and ensuite bathroom; partial raising of the existing blockwork boundary wall to match existing and reinstatement of existing pedestrian entrance along stone wall to Lucan Road.

#### *Adjacent Sites:*

90A/2160/EP –site adjoining St. Anthony's, Ballydowd, Lucan, acc, Roselawn, Ballydowd, Lucan. **SDCC Granted Extension of Duration of Permission** for a bungalow on site.

### **Relevant Enforcement History**

None recorded for subject site

### **Pre-Planning Consultation**

None recorded for 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 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 11.2.7 Building Height*

#### *Section 11.3.1 Residential*

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*Section 11.3.1 (iv) Dwelling Standards*

*Section 11.3.1 (v) Privacy*

*Section 11.3.3 Additional Accommodation*

*Section 11.3.3 (i) Extensions*

*Section 11.4.2 Car Parking Standards*

*Table 11.24 Maximum Parking Rates (Residential Development)*

*Section 11.4.4 Car Parking Design and Layout*

*Section 11.7.2 Energy Performance in New Buildings*

*Section 11.8.2 Appropriate Assessment*

***South Dublin County Council House Extension Design Guide (2010)***

**Side extensions:**

- *If the house is detached or on a large site or in a prominent location such as the corner of a street, it may be appropriate to consider making a strong architectural statement with the extension.*
- *Where the extension is to the side of a house on a corner plot, it should be designed to take into account that it will be visible from the front and side. The use of blank elevations will be unacceptable and a privacy strip behind a low wall, hedge or railings should be provided along those sections of the extension that are close to the public pavement or road.*
- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.*
- *Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.*
- *Do not incorporate blank gable walls where extensions face onto public footpaths and roads.*
- *Avoid the use of prominent parapet walls to the top of side extensions.*

### **Relevant Government Guidelines**

***Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas***, Department of the Environment and Local Government (2009)

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

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

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### **Assessment**

The main issues for assessment relate to

- Zoning and Council policy
- Residential and visual amenity
- Drainage
- Screening for Appropriate Assessment
- Environmental Impact Assessment

### ***Zoning and Council Policy***

An extension to an existing residential dwelling is consistent in principle with zoning objective 'RES' and would generally be in compliance with Council policy in relation to extensions to dwelling houses, as set out in South Dublin County Council House Extension Design Guide (2010), and in the Development Plan.

### ***Residential & Visual Amenity***

#### **Residential**

The proposed development is a single storey extension to the south and west of an existing "L" shaped dwelling. The orientation of the proposed development is such that it could be considered a rear or a side extension but will be assessed as a side extension in this instance. The ridge height of the proposed is approximately 700mm higher than the existing dwelling to the north which is acceptable in this instance as it is considered a side extension rather than rear. The modest difference in height should not lead to any substantial overshadowing of the existing neighbouring properties. There will be two floor to ceiling windows which continue into the apex of the west elevation which should not increase overlooking of the adjacent property to the west. There are no planned changes to the vehicular entrance from the Lucan Road in this planning application but there will be a new fence erected to provide a designated parking area to the north of the site and provide a segregated rear amenity space to the south. Overall, the proposed should not seriously injure the residential amenity of the area.

#### **Visual**

The original dwelling is in pebble dash render and the newer extension is in concrete render with the proposed development finished in a smooth white render also which should prove sympathetic to the original structure. The site is secluded even though it is located off a busy thoroughfare. The proposed windows to the western elevation makes an architectural statement which is consistent with the South Dublin County Council House Extension Design Guide although it will most be obscured by the proposed 1.8m fence that sub-divides the fence. The proposed should not seriously injure the visual amenity of the area.

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### Conclusion

Having regard to the scale and size of the development, it is considered that the proposed is acceptable subject to conditions.

### ***Drainage***

#### Surface Water Report

Further information required:

#### **1.1**

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 such as soakaways, rain gardens, green roofs etc.

#### Flood Risk Report

No objection subject to standard conditions.

#### Foul and Water

No objection subject to standard conditions.

#### Conclusion

The above reports are noted and it is considered appropriate that these are dealt with by condition in the event of a grant of permission.

### ***Screening for Appropriate Assessment***

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of a single storey extension.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### ***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.

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### *Development Contributions*

#### **Development Contributions Assessment Overall Quantum**

|                     |        |
|---------------------|--------|
| Proposed Extension: | 61sq.m |
| Previous Extension: | 40sqm  |
| Assessable Area:    | 61sq.m |

### **SEA Monitoring Information**

|                                 |                 |
|---------------------------------|-----------------|
| Building Use Type Proposed:     |                 |
| Floor Area:                     | 61sq.m          |
| Land Type: Urban Consolidation. |                 |
| Site Area:                      | 0.078 Hectares. |

### **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. It is considered that the proposed extension would be in compliance with Council policy in relation to extensions to dwelling houses.

### **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. (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 extension 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.  
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

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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 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.



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3. Drainage - Surface Water.

Prior to the commencement of development, the applicant shall submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development such as soakaways, rain gardens, green roofs etc. for the written agreement of the Planning Authority.

REASON: In the interests of public health and proper surface water drainage.

4. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €6,373.89 (six thousand three hundred and seventy three euros and eighty nine cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing [customerservice@water.ie](mailto:customerservice@water.ie).

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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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/0136**

**LOCATION: St. Anthonys, Ballydowd, Lucan, Co. Dublin**

*jjohnston*  
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**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:** 26/5/22

  
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**Eoin Burke, Senior Planner**