

# Comhairle Chontae Atha Cliath Theas

**PR/0703/22**

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

**Reg. Reference:** SD22B/0145      **Application Date:** 11-Apr-2022  
**Submission Type:** New Application      **Registration Date:** 11-Apr-2022

**Correspondence Name and Address:** Ciaran Mulhall 41, Oaklawn Close, Leixlip, Co. Kildare

**Proposed Development:** Single storey infill extension with new roof profile and a single storey detached shed with games room/gym for use as amenity space for the house to the rear.

**Location:** 17, Liffey Avenue, Liffey Valley Park, Lucan, Dublin

**Applicant Name:** Eoghan Clerkin  
**Application Type:** Permission

(EW)

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

**Site Area:** 0.0238 Hectares.

### **Site Description:**

The subject dwelling is located mid road on Liffey Avenue, Liffey Valley Park, Lucan, Co. Dublin. The existing dwelling is a hipped roofed two storey, semi-detached dwelling with front and rear garden. The streetscape is characterised by two storey dwellings of similar form and character.

### **Proposal:**

- Single storey infill extension with new roof profile and a
- single storey detached shed with games room/gym for use as amenity space for the house to the rear.

### **Zoning:**

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

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### **Consultations:**

Surface Water Drainage – No report received, standard conditions to apply.

Irish Water – No report received, standard conditions to apply.

Parks- No comments or objections.

*SEA Sensitivity Screening* – No overlap indicated.

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

None recorded for subject site.

### **Relevant Planning History**

None recorded for subject site.

### **Adjacent sites**

None relevant for subject site proposal.

### **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 H13 Private and Semi-Private Open Space*

- It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

#### *Policy H14 Internal Residential Accommodation*

- It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

#### *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.

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### *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*

##### *(iii) Backland Development*

- *Development that is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking.*

#### *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*

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

#### ***Rear Extensions:***

- *Match or complement the style, materials and details of the main house*
- *Match the shape and slope of the roof of the existing house,*
- *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 (2008).

***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.

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity
- Services and drainage.

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

Residential development is in principle consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. A detached garden room to the rear of the existing site is considered to be a part of the permitted residential use.

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

#### **Rear Extension**

The proposed single-storey 6.5 sq.m infill rear extension projects from the south corner of the rear dwelling and would create a flush rear building line within the existing property. The proposal has a mono-pitched roof that projects outwards and reaches 3.4m in height. The rear proposal is paired with the existing moderate 7.7sq.m rear extension to the north to create an overall larger sitting area. The proposal would abut the shared boundary wall to the south; however, no overshadowing issues are envisaged with this mono pitched-roofed proposal as it is created within the current house's envelope and consistent with the design guidelines for extensions as set out in the '*House Extension Design Guide*' in the current South Dublin County Council Development Plan 2016-2022.

#### **Detached Games Room / Gym**

The proposed garden room development is located 7.6m east of the existing two-storey semi-detached dwelling; under the County Development Plan, a three-bedroom dwelling requires a

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minimum of 60sq.m of rear amenity space. In this proposal, the minimum standard is achieved with 67.5sq.m and therefore complies with the Minimum Space Standards for Houses set out in Table 11.20 of the South County Development Plan 2016-2022.

The proposed games room/gym structure has a floor area of 37 sq.m with a mono-pitched roof height of 3.1m adjacent to the rear boundary of the adjoining property falling to a height of 2.8m. The entire structure is built abutting the north, east and south facing rear garden wall. The design of this structure is considered acceptable on this 0.0238 Hectares site with sufficient rear amenity space being retained. It does not detract from the visual and residential amenities of the area. It is recommended that the condition be imposed requiring the exterior walls of the shed to be rendered and painted.

As noted by the submitted drawings, the garden room structure appears to be habitable with a games room and wc. However, the outbuilding is intended for ancillary use and shall only be incidental to the existing dwelling and not used as a separate living dwelling; thus, a **condition** shall be attached to omit the wc. The garden room shall remain for ancillary use only and shall not be used for habitation or any other purpose. A separate **condition** shall also be attached to this effect.

The contemporary structure has two separate entrances to the shed and games room with glazed patio doors on the west-facing elevation facing the main dwelling. The materials used are considered acceptable. The scale and size of the outbuilding are relatively in proportion and context to the existing dwelling. No undue overbearing impact on the neighbouring dwellings to the north, east and south are envisaged. The current boundary wall/fences to the sides and rear are retained. Therefore, subject to the above conditions, it is deemed acceptable under the Development Plan provisions, therefore a grant of permission is recommended.

### *Services & Drainage*

Water Services have not submitted a report however, the proposed development is subject to standard conditions. The proposed development is considered acceptable.

Regarding Irish Water, a report has not been received however, the proposed development is subject to standard conditions. The noted wc shall be conditioned to be omitted from the rear gym/games room.

### *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 an attic conversion, dormer window and change of roof profile.

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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.

### ***Development Contributions***

- Rear Extension 6.5 sq.m
- Games Room/Gym (conditioned as ancillary and non-habitable): 37 sq.m

Assessable area: Nil.

### **SEA Monitoring**

*Building Use Type Proposed:* Residential extension.

*Floor Area:* 37.55sq.m

*Land Type:* Brownfield/Urban Consolidation

*Site Area:* 0.0238 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 garden room 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)

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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 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. Amendments.  
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:  
Revised plans that incorporate all of the following amendments-  
(a) Omit the WC from the proposed shed with games room/gym structure.  
REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
  
3. Restriction on Use of the Shed/Games Room/Gym.  
The Shed/Games Room/Gym 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 orderly development and the proper planning and sustainable development of the area.

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4. (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.

(iv) Include water butts as part of SuDS (Sustainable Drainage Systems) features for the proposed development.

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



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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.

5. The external walls of the Shed/Games Room/Gym shall be finished cement render and painted.

REASON To ensure an acceptable standard of development

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: 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. SD22B/0145**

**LOCATION: 17, Liffey Avenue, Liffey Valley Park, Lucan, 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:**

7/6/22



**Eoin Burke, Senior Planner**