

Comhairle Chontae Atha Cliath Theas

PR/0748/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0167 **Application Date:** 20-Apr-2022
Submission Type: New Application **Registration Date:** 20-Apr-2022
Correspondence Name and Address: Matt Ward and Wendy Bourke Ward 49, Beech Grove, Lucan, Co. Dublin, K78 YE93
Proposed Development: Demolition of a lean to annex and a brick coal shed both at the rear of the property. Making good of the shared roof and shed wall of no. 48 Beech Grove to which the shed of No. 49 abuts.
Location: 49, Beech Grove, Lucan, Co. Dublin, K78 YE93
Applicant Name: Matt Ward and Wendy Bourke Ward
Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Area: as stated 0.028 Hectares.

Site Description:

The subject site is located at No 49 Beech Grove, Lucan, Co. Dublin and contains an existing two storey, detached dwelling with front and rear garden. The streetscape is characterised by two storey semi-detached dwellings with front and rear gardens.

Proposal:

- Demolition of a lean to annex and a brick coal shed both at the rear of the property. Making good of the shared roof and shed wall of no. 48 Beech Grove to which the shed of No. 49 abuts.

Zoning:

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

Consultations:

Surface Water Drainage – No objection subject to standard conditions.
Irish Water – No objection subject to standard conditions.
Roads No objection subject to conditions

Comhairle Chontae Atha Cliath Theas

PR/0748/22

Record of Executive Business and Chief Executive's Order

SEA Sensitivity Screening - No overlap indicated.

Submissions/Observations /Representations

No submissions received.

Relevant Planning History

ED22/0002 –Demolition of existing Brick coal shed & Kitchen annex to rear of property.

Declared not exempt.

Reason:

With regard to Class 50 of Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (as amended) the dwelling does abut on another building in separate ownership (No. 48 Beech Grove) and this would not be considered exempted development.

Adjacent sites:

No relevant to subject proposal.

Relevant Enforcement History

None on record.

Pre-Planning Consultation

None on record.

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

Section 2.4.1 Residential Extensions

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.*

Comhairle Chontae Atha Cliath Theas

PR/0748/22

Record of Executive Business and Chief Executive's Order

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)

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.

Comhairle Chontae Atha Cliath Theas

PR/0748/22

Record of Executive Business and Chief Executive's Order

Residential & Visual Amenity

Rear Annex and Brick Shed

The structures proposed for demolition are the existing single-storey 3.5 sq.m annexe at 2.4m in height and the adjacent 2.64 sq.m brick shed at 1.9m in height. Both structures have a combined projected length of 3.5m from the northwest corner of the rear building line and have a width of 2.6m. The rear shed structure abuts the shared boundary wall and adjoining shed to the site's northwest with No 48 Beech Grove.

As noted by the submitted drawings, the structures appear to be for ancillary use and are only incidental to the existing dwelling. Therefore, the demolition of both structures is considered acceptable on this 0.028 Hectares site resulting in further sufficient rear amenity space being retained. The removal shall not detract from the visual and residential amenities of the area.

The scale and size of the outbuilding are relatively modest in context to the existing dwelling. No negative impact on the neighbouring residents to the northeast is envisaged from the removal. The applicant has stated that making good of the shared wall and roof with No. 48 Beech Grove and the existing boundary wall to the sides are retained. It is recommended that a **note** be imposed requiring the oversailing of property with the neighbouring No 48 Beech Grove is consented to. Also, a **condition** shall be attached that the planning permission is only agreed upon for the stated development. Therefore, subject to the above conditions, it is deemed acceptable under the Development Plan provisions, and a grant of permission is recommended.

Services & Drainage

Water Services report stated the proposed development is subject to standard conditions. The proposed development is considered acceptable.

Regarding the Irish Water report, it stated no objection to the proposed development subject to standard conditions. Having regard to the demolition of outbuilding structures, Irish water conditions are deemed not necessary in this instant.

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.

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,

Comhairle Chontae Atha Cliath Theas

PR/0748/22

Record of Executive Business and Chief Executive's Order

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

- Demolition of 3.5 sq.m annex and the 2.64 sq.m brick shed (conditioned as ancillary and non-habitable): 6.14 sq.m

Assessable area: Nil.

SEA Monitoring

Building Use Type Proposed: Residential extension.

Floor Area: 6.14sq.m

Land Type: Brownfield/Urban Consolidation

Site Area: 0.028 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) 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.

Comhairle Chontae Atha Cliath Theas

PR/0748/22

Record of Executive Business and Chief Executive's Order

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. Permission is hereby granted solely for the development which is set out in Statutory Public Notices and description of development under Section 9 of the planning application form submitted.
REASON: In the interest of clarity, consistency and the proper planning and sustainable development of the area.
3. Drainage - Surface Water.
(a) The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section.
(b) 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, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.
4. 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.

Comhairle Chontae Atha Cliath Theas

PR/0748/22

Record of Executive Business and Chief Executive's Order

5. 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 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.

6. Operational Noise.

(a) Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of any noise sensitive location, shall not exceed the daytime background level i.e. 0700 – 1900 by more than 10 dB(A) and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 .

Clearly audible and impulsive tones at noise sensitive locations during evening and night as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be avoided irrespective of the noise level.

(b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause

Comhairle Chontae Atha Cliath Theas

PR/0748/22

Record of Executive Business and Chief Executive's Order

for annoyance to a person in any residence, adjoining premises or public place in the vicinity.

(c) All mechanical plant and ventilation inlets and outlets should be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as LAeq over 15 minutes at 1 meter from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006.

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, 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: 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.

Comhairle Chontae Atha Cliath Theas

PR/0748/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0167

LOCATION: 49, Beech Grove, Lucan, Co. Dublin, K78 YE93

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: 14/6/22

Eoin Burke
Eoin Burke, Senior Planner