

Comhairle Chontae Atha Cliath Theas

PR/0855/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0066 **Application Date:** 15-Feb-2022
Submission Type: Additional **Registration Date:** 10-Jun-2022
Information

Correspondence Name and Address: Liam Baker 19, Aranleigh Gardens, Rathfarnham, Dublin 14

Proposed Development: New detached garage for existing house with gable pitched roof.

Location: Weston Lodge, Cooldrinagh Lane, Dublin, W223HN26

Applicant Name: Denis Moloney

Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Visit: 23/03/2022

Site Area: 0.1878 as stated

Site Description:

The subject property is located Cooldrinagh Lane off the R403 and within close proximity to Lucan village and directly across from the Weston Airport. The area is primarily residential in nature with some light industrial units. The subject dwelling is a detached double pitch roofed bungalow.

Proposal:

- New detached garage for existing house with gable pitched roof.
- Total area of proposed works 60sq.m

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:

Irish Water – No objection subject to standard conditions.

Water Services - Further information required.

SEA Sensitivity Screening

Overlaps slightly with DU17-014 Backweston which is a fishery and listed on SDCC list of protected structures.

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Submissions/Observations /Representations

None recorded for subject site.

Relevant Planning History

Subject Property

SD08A/0827 – **Permission Granted** - Conversion of an existing single storey extension (Weston Bungalow) to the side of Weston Lodge a self-contained dwelling & for the removal of side porches to both dwellings. Permission is also sought for alterations to site boundaries, alterations to existing entrance to south-west of the site, removal of single storey sun-room, extension to front of Weston Lodge & for the removal of the render finish to front facade to expose original stonework beneath and all associated site works.

SD05A/0283/PL06S.216181 – **Permission Refused** for conversion of single storey extension to existing bungalow to self-contained single storey, three bedroom dwelling. Permission was refused and refused on appeal for the following reason:

- The proposed development would constitute piecemeal and haphazard development on a restricted site in a rural location that is an Area Under Strong Urban Influence, as set out in the “Sustainable Rural Housing Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in April, 2005, without sufficient justification regarding the links of the potential occupiers with the local area in respect of matters such as family connections or employment. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Extension to Weston Lodge, constructed in 1977; no records of quoted Ref. K172 can be located within Planning Authority records.

Adjacent Properties

SD21B/0229 -4, Cooldrinagh Lane, Lucan, Co. Dublin – **Permission Granted** for single storey extension to side and rear; widen existing vehicle entrance to front of site and associated site works.

SD19A/0315 - Cooldrinagh Lane, Cooldrinagh, Lucan, Co. Dublin – **Permission Granted** for removal of existing ancillary shed structures; change of use and alteration of existing former farm outbuilding to 2 two bedroom dwelling units; alterations to the building including re-roofing & dormer window to rear; external plastering; new and altered window/door openings; 2 separate single storey extensions to the rear and side of the building and internal works; ancillary site works include 2 proprietary on-site wastewater treatment systems; landscaping and surfacing; alterations to boundary walls including opening new pedestrian entrance and new gate fitted to existing recessed site entrance (Protected Structure).

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Relevant Enforcement History

None

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.
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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

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

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and Visual Amenity
- Service 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 proposal is for single storey, detached, pitched roof garage to the north of an existing dwelling measuring 60sq.m. There is to be no foul sewer connection that can be ensured by way of **condition**. It should also be **conditioned** that the garage be restricted to purposes incidental to the enjoyment of the house as such and shall not be used for commercial use, as a habitable unit and shall not be leased or subdivided from the main dwelling subject to grant of approval. It is considered that the proposed development would not have an adverse effect on the residential amenity of the area.

Visual Amenity

The proposed garage is located on the north of the site close to the adjacent property. The ridge height of the proposal is 5.25m with the existing dwelling having a ridge height of 6.25m. The distance to the north boundary wall of the adjacent property is 1.2m, with 17.538m to the east entrance and 7.493m to the western boundary wall. The materials for construction will match the existing dwelling for both walls and roof. There will be no windows on any elevation of the property, but it is intended to be three 'Velux' style skylights on the roof on the southern elevation and are considered appropriate. There will a roller shutter entrance to the east elevation and a door on the southern elevation. The proposed would not have an adverse effect on the visual amenity of the area.

Services & Drainage

Surface Water Report:

Further Information Required:

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- 1.1** The applicant has not submitted surface water drainage plans for the proposed development. The applicant is required 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 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. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: *servicemaps@sdublincoco.ie*.
- 1.2** 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.
- 1.3** The applicant is required to clarify the distance between the proposed garage and the top of the bank of the River Liffey adjacent to the property. A minimum setback of 10m is required from the proposed building to the top of the bank of the River Liffey.
- All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal

Flood Risk Report: No objection subject to:

- 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.

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Irish Water

1 Water

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

2 Foul

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

Conclusion

The reports from Water Services and Irish Water are noted. **Additional Information** is required.

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:	60sq.m
Previous Extension	94.5sq.m
Assessable Area:	0sq.m

SEA Monitoring Information

Building Use Type Proposed:	
Floor Area:	60sq.m
Land Type: Urban Consolidation.	
Site Area:	0.1878 Hectares

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Conclusion

Additional Information is required in order to fully assess the proposal. The applicant is required 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 applicant is also required to submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Finally, the applicant is required to clarify the distance between the proposed garage and the top of the bank of the River Liffey adjacent to the property.

Recommendation

Request further information

Further information

Further Information requested on 11th April 2022.

Further Information received on 10th June 2022.

Assessment of Further information

The following further information was requested:

SURFACE WATER

(i) 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 by emailing: servicemaps@sdublincoco.ie.

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

(iii) The applicant is requested to clarify the distance between the proposed garage and the top of the bank of the River Liffey adjacent to the property. A minimum setback of 10m is required from the proposed building to the top of the bank of the River Liffey.

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Assessment

The following information was submitted by the applicant for review:

- Cover Letter
- Drawing including layouts, sections and site layout plans

(i) 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 by emailing: servicemaps@sdblincoco.ie.

*The drawings submitted by the applicant indicate the positioning of the proposed soakaway and surface water drainage treatment. They also confirmed on the cover letter submitted that there will be no requirement for a foul water connection. Water Services have indicated that they require further clarification on the information submitted but this can be requested prior to development by way of **condition**.*

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

*Water Services require further clarification of the information received but it is considered that the information requested can be dealt with by way of **condition**.*

(iii) The applicant is requested to clarify the distance between the proposed garage and the top of the bank of the River Liffey adjacent to the property. A minimum setback of 10m is required from the proposed building to the top of the bank of the River Liffey.

The applicants submitted drawings indicate a distance of approximately 15m to the River Liffey to the proposed development which is considered acceptable.

The following report was received from the Water Services department:

Surface Water Report:

Clarification of 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.

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1.2 The applicant is required to submit a revised drawing showing plan & 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.

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

Conclusion

Water Services indicated no objections to the proposed development from a Flood Risk perspective subject to the standard conditions. Irish Water have indicated no objections subject to the standard conditions.

The report submitted from Water Services regarding surface water drainage is noted and it is considered that the issues highlighted can be dealt with by way of **condition** in the event of a grant of permission.

Development Contributions Assessment Overall Quantum

Proposed Non Habitable Garage:	60sq.m
Previous Extension	94.5sq.m
Assessable Area:	0sq.m

SEA Monitoring Information

Building Use Type Proposed:	
Floor Area:	60sq.m
Land Type: Urban Consolidation.	
Site Area:	0.1878 Hectares

Conclusion

Having regard to the policy set out in the current South Dublin County Development Plan 2016-2022 and the scale and design of the development, 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 provisions of the South Dublin County Council Development Plan and the proper planning and sustainable development of the area.

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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 as amended by Further Information received on 10/6/2022, 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. (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) 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 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

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development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

3. Surface Water Drainage.

Prior to commencement of works, the applicant shall submit the following to the Planning Authority for written agreement:

- a) A report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
- b) A revised drawing showing plan & 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.

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

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.

4. Foul Water Connection

No foul water connection shall be installed and the permitted structure shall not contain a toilet.

REASON: In the interests of proper planning and sustainable development of the area, and to ensure that the structure is not use for separate habitable accomodation.

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

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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/0066

LOCATION: Weston Lodge, Cooldrinagh Lane, Dublin, W223HN26



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: 7 July 2022



Colm Harte,
Senior Executive Planner