

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0209 **Application Date:** 12-May-2022
Submission Type: Additional **Registration Date:** 15-Jul-2022
Information

Correspondence Name and Address: Paul Tighe 1, Liffey Wood, Liffey Valley Park,
Lucan, Co. Dublin

Proposed Development: Single storey extension to rear and side of existing
dwelling.

Location: 1, Liffey Wood, Liffey Valley Park, Lucan, Co.
Dublin

Applicant Name: Paul Tighe

Application Type: Permission

(SW)

Description of Site and Surroundings:

Site Area
0.027 Ha.

Site Description

The site accommodates a semi-detached house with hipped roof and single-storey side extension under lean-to roof, which also forms a canopy roof over the front door. This is a corner site, and the boundary treatment is a low wall to front, which raises up to approx. 2 metres in height at the front building line.

The house backs onto a house on Liffey Rise. The depth of the rear gardens here is approx. 10-11 metres. The adjoining mid-terrace house (No. 3 The Rise) has a narrow plot of approx. 4 – 4.5 metres.

Proposal:

Single storey extension to rear and side of existing dwelling.

Zoning:

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

Consultations:

Environmental Services: No report received.

Irish Water: No report received.

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

Roads: Additional information requested.

SEA Screening

No overlap with the relevant environmental layers.

Submissions/Observations /Representations

None.

Relevant Planning History

SD21B/0186 Single storey extension to rear and side of existing dwelling. **Grant Permission**

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.

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.

South Dublin County Council House Extension Design Guide (2010)

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).

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential amenity and visual impact
- Water Services
- Roads
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning and Council Policy

The site is located in an area which is subject to zoning objective 'RES' – '*To protect and/or improve Residential Amenity*'. The development of an extension or alteration to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.3 which relates to extensions to dwellings.

Residential Amenity and Visual Impact

It is noted that Planning Permission was previously granted for a side and rear extension, following a request for additional information. The table below sets out the scale of the current versus approved proposal:

	Height	Length	Width	Side passage
Current	2.96m, rising to 4.30m in part	6.625m at south elevation 4.57m at north elevation (with 0.6m gap from main house)	8.29m	1.935m to south At north boundary
Approved	2.7m to 3.6m	5.15m at north boundary 7.205m at south boundary	8.29m	1.935m to south At north boundary

The southern portion of the proposed extension would have a flat roof, would be 2.96m height and would not be visible from the front and would therefore have less of a visual impact than the approved extension – this element is not in close proximity to existing residential properties and would therefore not have any impacts on residential amenity.

The northern portion of the extension would increase in height from 2.7m to 3m along the boundary of No3. This is not considered acceptable due to the proximity to the boundary. It is noted that this element of the extension would have a monopitch roof, rising above the sill of the

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

first floor windows at the highest point. In order to accommodate this, the applicant has set the extension off the building at first floor by 0.6m. The Planning Authority has concerns regarding this element of the proposal in terms of the impact on the residential amenity of both No3 and the application dwelling and also the visual impact created by the monopitch element set off from the main house. The applicant is, therefore, requested to submit revised plans indicating:

- A height of no more than 2.7m along the boundary with No3
- If the monopitch element is retained, the highest part shall be no higher than the first floor sill of the existing bathroom
- The monopitch element shall meet the main dwelling and the gap will be omitted.

The applicant should note that an alternative roof design may be acceptable provided the height along the boundary with No3 is reduced.

Additional information is requested to address these changes.

Water Services

No reports have been received from Water Services or Irish Water.

It is noted that for the previous application, there were concerns regarding the proximity of the proposed extension to the 225mm surface water pipe. At the additional information stage, it was noted in the officer's report that "*this issue arose for a neighbouring property to the rear, and the nearby sewer was discovered to be 1.2m from the property boundary. The applicant states that, with a separation distance of 1.9m inside the boundary to their proposed extension, the 3m requirement is being met. It is also proposed to lower the foundations to a depth of 1500mm below ground, in order to ensure there is no loading in the event that the sewer is closer to the property boundary in this location*". The applicant is requested to clarify via **additional information** that this separation distance is being maintained and that lower foundations are also proposed in this instance.

Roads

The Roads Department has requested **additional information** as follows:

1. The applicant is requested to submit a revised layout of not less than 1:200 scale showing the vehicular access points limited to a width of 3.5 meters.

It is noted that the layout plan indicates a widened driveway. The description of development submitted only refers to a rear and side extension and does not refer to widening the driveway or any associated site works with the proposed development.

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

The applicant is therefore requested via **additional information** to:

- Remove the widened access from the plans **or**
- Provide revised notices indicating this element of the development
- Should the applicant seek permission for a widened driveway, then the details of the request from the Roads Department should also be submitted.

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.

Conclusion

It is acceptable in principle to provide for a rear extension here. The proposed rear extension would however have an overbearing visual impact in particular on the adjoining plot (No. 3). The applicant is also requested to clarify details regarding the proximity to the surface water pipe and the proposed access widening.

Recommendation

Request additional information.

Additional information requested: 6 July 2022

Additional information received: 15 July 2022

Consultations

Irish Water – no report received at time of writing.

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

Water Services – no report received at time of writing.

Roads – no objections, subject to conditions.

County Development Plan 2022-2028

Since the request for additional information was made, the Council has adopted a new CDP. Under the new CDP, the land retains the same zoning, i.e., 'RES'. A residential extension is therefore acceptable in principle. The proposed works are small scale and therefore still not bound by a lot of criteria (e.g., design statements, green space factor) that apply to larger developments. There are no additional designations on the site, it is not situated within any riparian corridors and the proposal would not be located within GI corridors. There is therefore no substantial impact on the assessment of the proposed development from the adoption of the new CDP.

Assessment:

Item 1:

The Planning Authority has concerns regarding the impact of the proposal on the residential amenity of both No3 and the application dwelling and also the visual impact created by the monopitch element set off from the main house. The applicant is, therefore, requested to submit revised plans indicating:

- A height of no more than 2.7m along the boundary with No3
- If the monopitch element is retained, the highest part shall be no higher than the first floor sill of the existing bathroom
- The monopitch element shall meet the main dwelling and the gap will be omitted.

The applicant should note that an alternative roof design may be acceptable provided the height along the boundary with No3 is reduced.

Applicant's response:

Height reduced to 2.7m along boundary with No3. Height sits lower than first floor sill. Gap omitted.

Assessment:

The re-design is generally considered acceptable. An element of mono-pitch roof protrudes beyond the side building line. This shall be removed via condition.

Item 2:

It is noted that for the previous application, there were concerns regarding the proximity of the proposed extension to the 225mm surface water pipe. At the additional information stage, it was noted in the officer's report that this issue arose for a neighbouring property to the rear, and the nearby sewer was discovered to be 1.2m from the property boundary. The applicant states that, with a separation distance of 1.9m inside the boundary to their proposed extension, the 3m requirement is being met. It is also proposed to lower the foundations to a depth of 1500mm

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

below ground, in order to ensure there is no loading in the event that the sewer is closer to the property boundary in this location. The applicant is requested to clarify that this separation distance is being maintained and that lower foundations are also proposed in this instance.

Applicant's response:

3m separation will be maintained. If required, appropriate structural certification at construction stage can be provided, confirming that the structural and foundation design for the extension will not impact the existing public surface water sewer.

Assessment:

The above is acceptable, subject to conditions.

Item 3:

It is noted that the layout plan indicates a widened driveway. The description of development submitted only refers to a rear and side extension and does not refer to widening the driveway or any associated site works with the proposed development. The applicant is therefore requested to:

- Remove the widened access from the plans OR
- Provide revised notices indicating this element of the development

Should the applicant seek permission for a widened driveway, then the applicant is requested to submit a revised layout of not less than 1:200 scale showing the vehicular access points limited to a width of 3.5 meters.

Applicant's response:

The driveway will not be altered.

Assessment:

The above is acceptable

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 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.

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,

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

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.

Development Contributions

Ground floor extension 36sq.m

(Noted 43sq.m granted under SD21B/0186, however the applicant would be unable to build this extension and that granted under SD21B/0186).

40sq.m exemption

Assessable area = Nil

SEA monitoring

Building Use Type Proposed: Residential extension

Floor Area: 36sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.027 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that the proposed development would be in compliance with Council policy in relation to extensions to dwelling houses, 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

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/1019/22

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 2022 - 2028 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 15 July 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. 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) the area of monopitch roof protruding beyond the side elevation of the house shall be omitted.
 - (b) a drawing showing a cross section of foundation of development and invert level of existing adjacent surface water sewer. There shall be no load transfer from proposed development onto adjacent surface water sewer.REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3.
 - (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.

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

(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 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:

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

- 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.

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 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.

Comhairle Chontae Atha Cliath Theas

PR/1019/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0209

LOCATION: 1, Liffey Wood, Liffey Valley Park, Lucan, Co. Dublin

pp. S. Watson
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: 11/8/22


Eoin Burke, Senior Planner