

# Comhairle Chontae Atha Cliath Theas

**PR/1076/22**

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

**Reg. Reference:** SD22B/0298      **Application Date:** 27-Jun-2022  
**Submission Type:** New Application      **Registration Date:** 27-Jun-2022

**Correspondence Name and Address:** Stephen Molloy Architects 12, St Brigids Shopping Centre, Main Street, Blanchardstown, Dublin 15

**Proposed Development:** Permission sought for a single storey extension to the side/rear and also a new pedestrian access gateway to the existing eastern boundary wall to the side onto the public footpath. All for 2 Moy Glas Wood Lucan, Co Dublin K78P5D2 for Caroline and Shane Belton

**Location:** 2, Moy Glas Wood, Lucan, Co Dublin, K78 P5D2

**Applicant Name:** Caroline & Shane Belton

**Application Type:** Permission

(EW)

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

Site Area: as stated 0.0269 Hectares.

#### Site Description:

The corner site comprises a two-storey, semi-detached house with a pitched roof and front and rear gardens. The streetscape is predominantly characterised by semi-detached houses. The site is located along Moy Glas Avenue, close to the corner junction with Moy Glas Wood within the established Moy Glas residential estate in Lucan.

#### **Proposal:**

- Permission sought for a single storey extension to the side/rear and
- also, a new pedestrian access gateway to the existing eastern boundary wall to the side onto the public footpath.

#### **Zoning:**

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

#### **Consultations:**

Surface Water Drainage – No report received; standard conditions apply.  
Irish Water – No report received; standard conditions apply.  
Roads - No objections subject to conditions.

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*SEA Sensitivity Screening* - No overlap indicated.

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

No submissions received.

### **Relevant Planning History**

None on record.

### **Adjacent sites**

SD19B/0345 – **Granted Permission** for the Removal of a portion of existing boundary wall; provision of new side gate and section of concrete footpath to facilitate access to part single storey and part two storey extension to side of existing dwelling housing a new bedroom, office, utility room, den and bathroom with rooflight to the rear of the two storey section and existing street sign affected by works relocated and all associated site works.

SD18B/0343 - 23, Moy Glas Avenue, Lucan, Co. Dublin. **SDCC Granted Permission** for a single storey extension to the rear of existing dwelling.

SD08B/0197 - 35, Moy Glas Avenue, Griffeen, Lucan, Co. Dublin. **SDCC Granted Permission & Retention permission** for a single storey extension to side and rear and Planning Permission for a single storey extension to front and side, and all associated site works.

SD05B/0713 - 39, Moy Glas Avenue, Lucan, Co. Dublin. **SDCC Granted Permission** for a single storey dining extension and playroom c/w internal alterations to side and rear.

SD02B/0294 - 41 Moyglass Avenue, Lucan, Co. Dublin. **SDCC Granted Permission for Retention** for extension to rear and side.

### **Relevant Enforcement History**

None on record.

### **Pre-Planning Consultation**

None on record.

### **Relevant Policy in South Dublin County Council Development Plan 2022 - 2028**

**Policy H14:** Residential Extensions Support the extension of existing dwellings subject to the protection of residential and visual amenities.

**H14 Objective 1:** 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 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

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**H14 Objective 2:** To review and update the South Dublin County Council House Extension Design Guide, 2010 during the lifetime of this Development Plan, to include a review of design options for mid terrace type extensions with a view to facilitating these extensions in Local Authority housing where appropriate.

### **Green Infrastructure**

- Policy G11: Overarching Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.
- **G11 Objective 4:** To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.
- **G12 Objective 4:** To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: *Implementation and Monitoring* and the policies and objectives of this chapter.
- **G14 Objective 1:** To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's *Sustainable Drainage Explanatory Design and Evaluation Guide, 2022*.

### ***Section 12.4.2 Development Management and Green Infrastructure***

- Includes need for a Green Infrastructure Plan.
- Applications for extensions or single houses will also require the submission of a GI Infrastructure Plan which may be incorporated into the proposed landscape plan. This should clearly incorporate GI elements and provide links to local 'Stepping-Stones,' Cores and Corridors where appropriate. Some smaller scale development may require more detailed GI Infrastructure Plans. Depending on location and context of the site, this will be decided on a case-by-case basis.
- Regardless of development size or type, applicants must submit an overall site summary quantifying and detailing the following:
  - Tree and hedgerow removal;
  - Tree and hedgerow retention;

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- New tree and hedgerow planting.
- This information will be submitted in a digital format agreed with the Council to allow amalgamation and reporting on tree and hedgerow cover within the County over time.

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

### **Rear Extensions:**

- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *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,
- Service water and drainage.

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

The development comprising a rear / side extension is consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity,' subject to the relevant provisions in the County Development Plan 2022-2028 and the House Extension Design Guide.

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

#### **Side Extension**

The proposed ground floor side extension projects 1.8m in width from the gable side of the property. The proposal reflects the character, design, and fenestration of the existing house and is considered to integrate cohesively to the visual and residential amenities of the area. The proposal matches the pitched roof profile and is considered seamless in scale, size and context to the main dwelling.

The gable façade includes 3 high level windows that are obscured and are considered acceptable to the provisions of the House Extension Design Guide in relation to corner side extensions and having regard to the side extension facing directly onto the main Moy Glas Avenue.

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The corner site proposal shall cause no overbearing impact or overshadowing to the neighbouring properties and is consistent with the guidance set out in Section 4 'Side Extensions' of the South Dublin County Council House Extension Design Guide (2010).

### **Rear Extension**

The proposed single-storey rear extension projects 2m from the rear (north) building line, with a width of 5.2m, and includes a contemporary proposed pitched roof structure circa 3.38m in ridge height. The rear extension is adjacent to the eastern boundary wall.

It is considered the subject proposal would not be significantly injurious to the amenities of the adjacent properties. No issues of overlooking /overshadowing are envisaged. Sufficient residential amenity remains for future occupants. It, therefore, would be consistent with the Development Plan provisions. The development complies with the design guidelines for rear extensions in the '*House Extension Design Guide*' in the current South Dublin County Council Development Plan 2022-2028. therefore, a grant of permission is recommended.

### ***Roads / New Pedestrian Access Gateway***

Regarding the new pedestrian access gateway to the existing eastern boundary wall to the side of the public footpath.

The Roads Department report states:

1. No pedestrian access gate inside boundary wall to be installed as it would set an undesirable precedent leading to obstructions for footpath users.

Having regard to the recommendations of the Roads Department, in this instance, it is considered that that side entrance would set an undesirable precedent leading to obstructions for footpath users on this stretch of pathway, the side entrance shall therefore be omitted from the overall development proposal by **condition**.

### **Green Infrastructure**

The subject application provides for a relatively small increase in the footprint of the subject house on an established suburban residential site. The site is not located within a Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028). A **condition** for surface water shall include for SuDS measures in the form of water butts.

Having regard to the extent of private amenity grassland retained, the scale of the footprint increases and the provision of SuDS measures, it is considered that the subject development has incorporated Green Infrastructure and will protect, manage and enhance the GI resources on the subject site. As such, the proposal is in accordance with GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 – 2028.'

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### **Services & Drainage**

Regarding surface water drainage and flood risk, the Water Services have not submitted a report, however it is deemed that standard conditions can be obtained by **condition**.

Irish Water have not submitted a report however, the proposal shall be subject to the attachment of standard **conditions** related to water supply and foul water drainage, and this will be applied 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 side / rear 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 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**

Rear / side Extension:	32. 5sq.m
Assessable Area:	Nil

### **SEA Monitoring Information**

Building Use Type Proposed:	
Floor Area:	32. 5sq.m
Land Type: Urban Consolidation.	
Site Area:	0.0269 Hectares.

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### **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 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 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. The following amendment to the design shall be carried out:  
The access gate to the rear garden on the eastern gable elevation shall be omitted from the proposal.  
REASON: To maintain the safe operation of the existing footpath and to ensure the proper planning and sustainable development of the area.
3. Drainage - Surface Water.
  - (i) The applicant shall include Water Butts as part of Sustainable Drainage Systems (SuDS) measures for the proposed development.
  - (ii) All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal

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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.

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.

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



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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.

**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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**REG. REF. SD22B/0298**

**LOCATION: 2, Moy Glas Wood, Lucan, Co Dublin, K78 P5D2**

  
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:**

22/8/22

  
Eoin Burke, Senior Planner