

# Comhairle Chontae Atha Cliath Theas

**PR/1092/22**

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

**Reg. Reference:** SD22B/0304      **Application Date:** 28-Jun-2022  
**Submission Type:** New Application      **Registration Date:** 28-Jun-2022

**Correspondence Name and Address:** Alison Clarke, Module 1st Floor, 2, Chapel Hill,  
Lucan, Co. Dublin

**Proposed Development:** Proposed single storey extension with pitched roof to front (South) and flat roof to side and rear (East & north) of the existing dwelling, inclusive of 1 No bedroom with end-suite, W.C and utility room. Proposed 5 No Roof lights. Proposed access door to ground floor extension to the front (South Elevation). Demolition of existing side store and chimney to east elevation inclusive of all associated site works

**Location:** 37 Castle Lawn, Balrothery, Dublin 24, D24 RNX1

**Applicant Name:** Jim & Sinead Lambert

**Application Type:** Permission

(NM)

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

#### **Site Area**

Stated as 0.025 Hectares.

#### **Site Description**

The site contains an end of terrace 2 storey dwelling located at the end of a cul-de-sac. The area is characterised by units of similar architectural design with a relatively uniform building line.

#### **Proposal:**

The development will consist of:

- Proposed single storey extension with pitched roof to front (South) and flat roof to side and rear (East & north) of the existing dwelling, inclusive of 1 No bedroom with end-suite, W.C and utility room.
- Proposed 5 No Roof lights.
- Proposed access door to ground floor extension to the front (South Elevation).
- Demolition of existing side store and chimney to east elevation inclusive of all associated site works.
- Total area of works is 60.6sqm.

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### **Zoning:**

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

### **Consultations:**

Irish Water - No report received

Water Services – No report received

### **SEA Sensitivity Screening**

No overlap with relevant layers.

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

None.

### **Relevant Planning History**

#### *Subject Property*

SD11A/0199 – **Permission Refused** for Single storey retail shop; with tiled roof over; utility room; toilet (with flat roof over) at side of house.

SD07B/0084 – **Permission Granted** for two storey family flat with door at side and rear, subsequent to previous permission granted SD03B/0513. Also, single storey extension to rear of house with tiled roof over.

SD03B/0513 – **Permission Granted** for two storey extension to side, alterations to front fenestration, porch and extension to front at ground floor level with tiled roof over. Demolition of chimney and shed at side.

#### *Adjacent Properties*

SD22B/0174 – 13, Castle Lawns, Tallaght, Dublin 24, D24 X5WT - **Permission Granted** for ground floor, single storey extension with canopy/apex roof over to front of house.

SD07B/0776 - 33, Castle Lawns, Dublin 24 – **Permission Granted** for proposed ground floor front extension with bay window & pitched roof over.

### **Relevant Enforcement History**

None recorded.

### **Pre-Planning Consultation**

None recorded.

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

#### *6.8.2 Residential Extensions*

*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).*

#### **Policy GII: Overarching**

*GII 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.*

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

#### **Side Extensions**

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.*
- *Do not incorporate blank gable walls where extensions face onto public footpaths and roads.*
- *The use of a 'false' roof to hide a flat roofed extension is rarely successful, particularly if visible from the side.*

#### **Rear Extensions**

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *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.*

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### Relevant Government Guidelines

*Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas*, Department of the Environment and Local Government (2009).

*Urban Design Manual: A Best Practice Guide*, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, 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).

### Assessment

The main issues for assessment are

- Zoning and Council policy,
- Residential and Visual amenity
- Drainage
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

### *Zoning and Council Policy*

A development comprising of a single storey side and rear extension, and demolition of existing side store and chimney would be 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 and Visual Amenity*

The proposed side extension will run flush with established building line of the front elevation (southern). The design incorporates a false roof that continues the existing ground floor bay window roof to the front. The House Extension Design Guide states "*The use of a 'false' roof to hide a flat roofed extension is rarely successful, particularly if visible from the side*" and the flat roof with parapet incorporated behind the false roof will be visible from the road and green areas to the west. The applicant should submit revised plans indicating a change in roof type continuing the pitched roof along the side gable elevation or failing that, the removal of the false roof by **condition in the event of a grant of permission**. The materials proposed for the exterior facades match that of the existing dwelling which is appropriate.

The proposed side extension includes a ground floor bedroom with an access door from the southern (front) elevation which is not acceptable, and it should be **conditioned** that this is removed. The proposed development abuts the boundary wall to the west which is acceptable. At the proposed side extension, the depth of the driveway at 4.9m is not consistent with the House

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Extension Design Guide but the majority of the driveway was reduced to the this level under a subsequent grant of permission for a front extension. Notwithstanding this, the applicant should reduce the depth of the front extension by 1.1m to allow for a 6m driveway to the east which can be confirmed by way of **condition**.

The height of the extension to the rear is approximately 3.2m to the parapet which will not lead to any excessive overshadowing of the attached unit to the east and is considered appropriate. There will be approximately 11m to the rear boundary wall and approximately 81sqm of rear amenity space which is consistent with the Development Plan. There will be 5 roof lights throughout the rear and side development which would not lead to any additional overlooking.

The proposed development would not be overbearing in the site context and would not seriously injure the visual or residential amenity of the area subject to conditions.

### ***Drainage***

No report was received from Water Services or Irish Water, but given the size, scale and nature of the proposed development it is considered appropriate that standard conditions regarding surface water drainage solutions including SuDS and foul water drainage are attached.

### ***Green Infrastructure***

The subject site is located within close proximity to Primary GI Corridor 1 (Dodder River Corridor), as per figure 4.4 of the County Development Plan. Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required as there will be no removal of existing hedgerows or trees, but a full assessment of the Sustainable urban Drainage Systems is required, and a **condition** should be attached 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 single storey side and rear extension, and demolition of existing side store and chimney. 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.

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### ***Environmental Impact Assessment (EIAR)***

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**

Proposed Extension:	60.6sqm
Previous Front Extension:	7sqm
Assessable Area:	27.6sqm

### **SEA Monitoring Information**

Building Use Type Proposed:	
Floor Area:	60.6sqm
Land Type: Urban Consolidation.	
Site Area:	0.025Hectares.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2022 – 2028 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.

### **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.

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### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Amendments.  
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:  
Revised plans that incorporate all of the following amendments-
  - (a) Removal of false roof on the side extension to be replaced by a pitched roof at the front that continues along the entire extent of the side extension or incorporation of a flat roof;
  - (b) Removal of the new access door to the front of the property;
  - (c) Reduce the depth of the side extension by 1.1m from the front elevation to allow for a 6m driveway (for in curtilage parking) to the east as per the South Dublin County Council House Extension Design Guide (2010);REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3. Sustainable Urban Drainage Systems (SuDS)  
Prior to the commencement of development, the applicant shall submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development, for the written agreement of the Planning Authority. The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:
  - Rain Gardens , Planter boxes with overflow connection to the public surface water sewer.
  - Permeable Paving
  - Grasscrete
  - Green Roofs,
  - Rain gardens
  - Swales
  - Permeable Paving
  - Grasscrete
  - Channel Rills
  - Planter Boxes water butts

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- Other such SuDS

The applicant should reference the SDCC Sustainable Drainage Explanatory Design & Evaluation Guide prior to submission.

REASON: To ensure the adequate provision of SuDS

### 4. Foul Drainage

Prior to the commencement of development, the applicant shall submit for the written approval of the Planning Authority a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul 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 public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: [datarequests@water.ie](mailto:datarequests@water.ie). All works are to comply with Irish Water Standard Details for Wastewater Infrastructure available at (<https://www.water.ie/connections/Wastewater-Standard-Details.pdf>)

REASON: To ensure the suitable provision of foul drainage and to protect public health.

### 5. (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



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

### **6. Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €2,883.92 (two thousand eight hundred and eighty three euros and ninety two cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning

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Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended). The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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.


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**REG. REF. SD22B/0304**

**LOCATION: 37 Castle Lawn, Balrothery, Dublin 24, D24 RNX1**

  
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**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:** 22/8/22

  
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**Eoin Burke, Senior Planner**