

# Comhairle Chontae Atha Cliath Theas

**PR/1108/22**

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

**Reg. Reference:** SD22B/0323      **Application Date:** 08-Jul-2022  
**Submission Type:** New Application      **Registration Date:** 08-Jul-2022

**Correspondence Name and Address:** Eco Design and Management Unit 18, The Walk,  
Louisa Valley, Leixlip, Co. Kildare

**Proposed Development:** Alterations to previously approved and now built  
plans under S00B/0189. Changes to be made to a  
single storey side extension to include flowing,  
removal of low pitched roof to be replaced with a  
new roof with a slightly higher pitch, removal of 2  
small windows on the side southerly facing elevation  
to be replaced with a large sliding door, removal of  
French doors on the rear easterly elevation to be  
replaced with a large window. Other alterations to  
include adjustments to 2 1st floor windows in the  
bathroom and landing to facilitate the new slightly  
higher pitched roof and some minor internal  
alterations.

**Location:** 65, Prospect View, Prospect Manor, Stocking Lane,  
Rathfarnham, Dublin 16

**Applicant Name:** Derek and Fiona Gallagher

**Application Type:** Permission

(CB)

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

Site Area: stated as 0.0824 hectares.

#### Site Description:

The application at 65 Prospect View, Prospect Manor, D16 contains a two storey, detached house, comprising an existing side extension. The dwelling is at the end of a row of similar style semi-detached houses. The subject dwelling is set on a large plot comprising a sizeable front, side and rear garden. The site is also bound by the M50 to its southern end. The side garden is screened off from the motorway by a boundary wall and vegetation. The back of the property backs off onto the western side of No. 27 Prospect Heights and mature trees separate the two properties.

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#### Proposal:

**Permission** is sought for the following:

- Changes to single storey side extension to include:
  - Removal of low-pitched roof to be replaced with a new-roof with a slightly higher-pitch;
  - Removal of two small windows on the side southerly facing elevation to be replaced with a large sliding door;
  - Removal of French doors on the rear easterly elevation to be replaced with a large window;
- Minor adjustments to include:
  - Two first floor windows in the bathroom and landing to facilitate the new slightly higher pitched roof;
  - Internal alterations on ground floor level.

#### Zoning:

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*.

#### Consultations:

Water Services – No report received at time of writing (22.08.22)

Irish Water – No report received at time of writing (22.08.22)

#### SEA Sensitivity Screening

SEA monitoring indicates no overlap with relevant environmental layers.

#### Submissions/Observations /Representations

None received.

#### Relevant Planning History

Subject site at 65, Prospect View, Dublin 16

- **SD14B/0099** – Retention of two storey extension to rear.  
GRANT PERMISSION FOR RETENTION.
- **S00B/0189** - Erection of a single storey extension to the side and rear.  
GRANT PERMISSION.

#### Relevant Enforcement History

None recorded for subject site.

#### Pre-Planning Consultation

None recorded for subject site.

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

#### *Chapter 4 Green Infrastructure*

##### *Section 4.1 Methodology*

*GI1 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.*

##### *Section 4.2.1 Biodiversity*

*GI2 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.*

##### *Section 4.2.2 Sustainable Water Management*

*GI4 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 6.8.2 Residential Extensions*

*Policy H14: 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).*

##### *Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)*

###### *Policy IE3: Surface Water and Groundwater*

*Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.*

#### *Chapter 12 Implementation and Monitoring*

##### *Section 12.6.8 Residential Consolidation Extensions*

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### **Relevant Government Policy & Guidelines**

*Project Ireland 2040 National Planning Framework, Government of Ireland, 2018*

*Regional Spatial and Economic Strategy, Eastern & Midlands Regional Assembly, 2019.*

*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).*

*Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG, 2009.*

### **Assessment**

The main issues for assessment concern the following:

- Zoning and Council Policy
- Residential and Visual Amenity
- Green Infrastructure
- Water Supply and Wastewater Services
- Appropriate Assessment
- Environmental Impact Assessment

### **Zoning and Policy**

South Dublin County Development Plan 2022 - 2028

The site is subject to zoning objective 'RES' – *'To protect and/or improve residential amenity'*  
A house extension (residential development) is permitted in principle under this zoning objective, subject to assessment against the relevant policies, objectives and standards set out under the current Plan.

### **Residential and Visual Amenity**

The proposed development intends to raise the roof ridge of the existing extension (granted under S00B/0189) from 3.775m to 4.355m to match the existing roof ridge over the living room to the front and side of the house. This is considered in keeping with the lines to the southern side of the dwelling. The Velux roof lights proposed over the extension are welcomed for the lounge room to benefit from the southernly light exposure. The replacement of two small windows on the southern elevation with a large sliding door, as well as the removal of French doors to the rear elevation to be replaced with a large window, do not compromise residential and visual amenity considering that there are no adjoining properties to the south and that the rear boundary is screened off by mature trees.

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### **Green Infrastructure**

The proposal relates to alterations to an existing extension, no floor plate is being added, therefore, this is not relevant to this application.

### **Water Supply and Wastewater Services**

As the proposal relates to alterations to an existing extension, there will be no impact on existing water services and therefore this is not a relevant consideration.

### **Screening for Appropriate Assessment**

The subject site is not located within nor within close proximity to a European site. The proposed development is on Prospect View, Prospect Manor, an established residential area. The development comprises alterations to an existing side and rear extension.

Having regard to:

- the small residential scale of the development,
- the location of the development in an established 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 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.

### **Other Considerations**

#### **Development Contributions**

No additional floor area proposed.

Assessable Area:

Nil

#### **SEA Monitoring Information**

Building Use Type Proposed:

Residential alterations

Floor Area:

N/A

Land Type:

Urban Consolidation

Site Area:

0.0824 Hectares.

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### **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 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 proposal would be consistent 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. (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) 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.

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(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.

(c) 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.

(d) 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

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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.



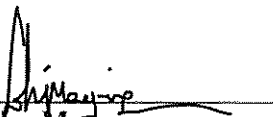
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**REG. REF. SD22B/0323**

**LOCATION: 65, Prospect View, Prospect Manor, Stocking Lane, Rathfarnham, Dublin  
16**

  
**Colm Maguire,  
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:** 1/9/22

  
**Eoin Burke, Senior Planner**