

Comhairle Chontae Atha Cliath Theas

PR/1346/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0117 **Application Date:** 16-Mar-2022

Submission Type: Additional Information **Registration Date:** 26-Sep-2022

Correspondence Name and Address: Jimmy Callaghan The Lugg, Brittas, Co. Dublin

Proposed Development: Construction of a domestic garage to the rear of the existing dwelling

Location: Raheen, Brittas, Co. Dublin

Applicant Name: James & Brenda Tracey

Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Visit: 26/04/22

Site Area: 0.63 as stated

Site Description:

The property is located along the Seskin View Road off the N81 close to Brittas village. The existing dwelling is a detached one and a half storey property with a gable pitched roof and separate garage.

Proposal:

- Construction of a domestic detached garage to the rear of the existing dwelling
- Total works area 98sq.m

Zoning:

The subject site is subject to zoning objective 'HA-DM' - 'To protect and enhance the outstanding natural character and amenity of the Liffey Valley, Dodder Valley and Dublin Mountains areas.

Consultations:

Irish Water – Refer Foul to Environmental Health Officer.

Water Services - Further information is required.

Environmental Health Officer – No objection subject to condition.

Heritage Officer – No report

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SEA Sensitivity Screening

Overlap with the following layers:

- High Amenity Dublin Mountain 2016.
- Site of Geological Interest.
- Site is within a 'significant view to be protected/preserved'
- Proposed Natural Heritage Area.

Submissions/Observations /Representations

None recorded for subject site.

Relevant Planning History

Subject Property

SD06B/0853 – **Permission Granted** for Conversion of existing garage into kitchen area and construction of domestic garage: area of existing dwelling - 160sq.m; area of existing garage to be converted - 34sq.m; area of proposed garage - 100sq.m.

S96A/0739 – **Permission Granted** for Dormer bungalow, garage and septic tank.

Adjacent Properties

SD20B/0496 - Falconwood House, Gortlum, Brittas, Co. Dublin, D24 X459 – **Permission and Retention Granted** for Single storey flat roofed extension to the north elevation of an existing dwelling and retention of a window inserted into the western elevation. This extension will primarily consist of the provision of a new utility room for the house, located behind an existing permitted screen wall and other associated minor alterations, all finishes to match existing.

SD12A/0015 - Gortlum, Brittas, Co Dublin – **Permission Granted** to have development granted under SD11A/0129 (excluding private garage) namely: building dormer style private dwelling with Velux roof lights, new entrance to public road, septic tank and waste water treatment system, provision of building to accommodate 10no. boarding kennels located at southwestern end of site relocated to northeastern end of site.

SD08B/0742 - Raheen, Brittas, Co. Dublin – **Permission Granted** for 34sq.m. extension to the side of existing dwelling.

Relevant Enforcement History

None

Pre-Planning Consultation

None.

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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.

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

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

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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)

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and Visual Amenity
- Services Water and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

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Zoning and Council Policy

The site is located within the zoning objective 'HA-DM' - 'To protect and enhance the outstanding natural character and amenity of the Dublin Mountains areas' Residential is Open for Consideration including the development of a detached domestic garage under this zoning if it is in accordance with Council policy for residential development in rural areas.

Residential & Visual Amenity

Residential Amenity

The site contains a detached rural one and half storey dwelling with an existing detached garage located to the rear of the dwelling. The proposed garage will provide 98sq.m of garage space, in addition to the existing 100sq.m garage located to the west of the site.

Supporting evidence has been provided by the applicant that the proposed development will be used for the storage of vintage cars for which there is already 100sq.m of garage space available creating approximately 198sq.m of space which is very large for uses ancillary to the enjoyment of a dwelling. It should be a **condition** of any grant of permission that the applicant cannot undertake any commercial activity in the existing or proposed garage.

Given the large area of the site as a whole at over 0.63 of a hectare, the proposed development would not adversely impact residential amenity on the site or surrounding properties.

In order to ensure the dwelling is not used for commercial use or as a dwelling, a condition should be imposed that no foul water connection be made to the proposed detached garage.

Visual Amenity

The ridge height of the proposal will be 6.4m which although high for a single storey development, is the same as the ridge height of the existing garage, according to the drawings received with the current application. It is noted however that plans approved under SD06B/0853 indicate a height of 5.4 meters.

The applicants attention is drawn to the fact that the existing shed appears to be constructed at 6.4m rather than the approved 5.4m. The applicant is requested to submit revised notices to include retention of the height of the existing garage at 6.4.

The distance to any neighbouring properties means that no overshadowing will occur. The site contours and elevations also mean that the main dwelling house to the east of the proposal will obscure it from the Seskin View Road and mature hedgerows and trees will obscure from any neighbouring dwellings. The materials used will also match the existing. It is considered that the proposed will be visually acceptable.

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Services & Drainage

Surface Water Report: Further Information Required:

1.1 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.

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 to manage surface water run-off from the proposed development. The applicant shall submit design calculations to demonstrate that surface water from the proposed development will not exceed greenfield discharge rates or alternatively will be infiltrated to ground.

The applicant is required to submit a drawing which shows the distance between the proposed garage and the existing stream to the north of the site. The drawing shall show that there is a minimum setback distance of 10m between the proposed development and the top of the stream bank. This is required to ensure adequate maintenance access is being achieved to the stream and also to maintain an adequate riparian buffer zone.

Flood Risk Report:

No objection subject to standard conditions.

Irish Water

Water

No objection subject to standard condition

Foul

Refer to EHO. No objection subject to written confirmation that no commercial activity shall take place by the applicant at this location. There is no WHB, or Foul Water connection proposed and therefore there will be no additional load on the system.

Conclusion

Further information to be sought from applicant as per surface water report. It is considered that the submission from the Environmental Health Officer can be dealt with by way of **condition**.

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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 a High Amenity area and comprises of a single storey detached garage.

Having regard to:

- the small scale and domestic nature of the development,
- 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.

Development Contributions

Development Contributions Assessment Overall Quantum

Proposed Non Habitable Garage:	98sq.m
Assessable Area:	0sq.m

SEA Monitoring Information

Building Use Type Proposed:	
Floor Area:	98sq.m
Land Type: Urban Consolidation.	
Site Area:	0.64 Hectares

Conclusion

Further information is required.

Recommendation

Further Information Requested on 10/05/2022.

Further Information Received on 26/09/2022.

Consultations:

Water Services – No objection.

Irish Water – No objection subject to conditions.

Environmental Health Officer – No objection subject to conditions.

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Planning Note

The proposed development was initially assessed under the South Dublin County Council Development Plan 2016 – 2022. Since the 3rd of August 2022, all applications including the Additional Information as submitted for the proposed development has been assessed under the South Dublin County Development Plan 2022-2028.

Assessment

Item 1:

RIDGE HEIGHT

The applicants attention is drawn to the fact that the existing shed appears to be constructed at 6.4m rather than the approved 5.4m. The applicant is requested to submit revised notices to include retention of the height of the existing garage at 6.4m.

In response to Item 1, the applicant submitted the following:

- Cover Letter
- Drawing Ref: JT/01 – Plans, Elevations & Section of Proposed Garage – Rev 1
- Drawing Ref: JT/02 – Site Layout Map – Rev 2
- Drawing Ref: JT/03 – Plans, Elevations & Section of Existing Garage – Rev 1

The applicant has submitted that the existing shed/garage has a finished ridge height of 6.1m and the applicant indicates a willingness to apply for retention permission in order to regularise the increase in height from 5.4m (approved) to 6.1m (as constructed). Having regard to the location of the site, its size and the screening of the site, the departure from the approved height of 5.4 to the constructed height of 6.1 is considered relatively minor and does not cause harm in relation to substantive planning issues.

In addition, the applicant submitted revised drawings indicating a revised ridge height of 6.1m for the proposed development so it will be constructed in line with the existing development.

The applicant has not used the opportunity of the Additional Information request to regularise the departure from the approved plans in relation to the existing shed (increase in height of shed “as constructed” from 5.4m to 6.1m) as suggested by the Planning Authority. A revised description of development and a re-advertisement of the proposals would have been required to achieve this. It appears this is from a misreading of the Additional Information request rather than a reluctance on the part of the applicant to engage with the matter.

Instead, the applicant has submitted revised drawings reducing the height of the proposed sheds from 6.4m to the height of the existing shed as constructed 6.1m. This amendment does not present any concerns for the Planning Authority. It is recommended that a condition be attached to any permission granted in the interests of clarity indicating that this permission is for the

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proposed shed only and cannot be relied on as giving permission for any other existing structures on the site as constructed or shown in the submitted drawings.

Item 2:

SURFACE WATER

(i) 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 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.

(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 to manage surface water run-off from the proposed development. The applicant shall submit design calculations to demonstrate that surface water from the proposed development will not exceed greenfield discharge rates or alternatively will be infiltrated to ground.

(iii) The applicant is requested to submit a drawing which shows the distance between the proposed garage and the existing stream to the north of the site. The drawing shall show that there is a minimum setback distance of 10m between the proposed development and the top of the stream bank. This is required to ensure adequate maintenance access is being achieved to the stream and also to maintain an adequate riparian buffer zone.

In response to Item 1, the applicant submitted the following:

- Cover Letter
- Drawing Ref: JT/04 – Map Indicating Locations of All Existing and Proposed Surface Layouts – Rev 0
- Drawing Ref: JT/05 – Sustainable Drainage System for Proposed Domestic Garage – Rev 1
- Document from Jimmy Callaghan Consulting Engineers outlining SuDS measures and surface water drainage calculations

(i) Further to the information provided by the applicant in response to Item 2(i), Irish Water have no objections to the proposed development subject to the standard conditions.

(ii) Further to the information provided by the applicant in response to Item 2(ii), Water Services have no objections to the proposed development.

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(iii)The plan submitted indicates a distance of 15m at its furthest distance to the stream to the rear of the site and 10m at its nearest point which is considered **acceptable** in this instance.

Development Contributions	
Planning Reference Number	SD22B/0117
Summary of permission granted & relevant notes:	Domestic Garage Extension, 98sqm
Are any exemptions applicable?	Yes
If yes, please specify:	Non Habitable Domestic Garage
Is development commercial or residential?	Residential
Standard rate applicable to development:	104.49
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m2)	98
Amount of Floor area, if any, exempt (m2)	98
Total area to which development contribution applies (m2)	0
Total development contribution due	€0

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.

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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 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 this application, save for amendments by Further Information received on 16/09/2022 and save as may be required by the other conditions attached hereto. This permission relates to the proposed shed only and cannot be relied on as approving any other existing structures on the subject lands.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Construction Noise and Hours.
To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no 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 be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor 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

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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.

3. 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.

4. Restriction on Garage Use.

The garage shall be used solely for purposes incidental to the enjoyment of the dwelling house as such and shall not be used for habitation or the carrying on of any trade or business, and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling

REASON: In the interest of residential amenity.

5. Foul Water Connection

No toilet and no foul water connection shall be installed in the garage.

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.

6. Drainage - Irish Water.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) 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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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.

7. 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.

8. Drainage - Surface Water.

The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section.

REASON: In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

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: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

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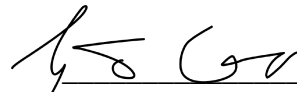
REG. REF. SD22B/0117
LOCATION: Raheen, Brittas, Co. Dublin



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: 21-10-22_____



Gormla O'Corrain, Senior Planner