

# Comhairle Chontae Atha Cliath Theas

**PR/1581/22**

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

**Reg. Reference:** SD22B/0459      **Application Date:** 19-Oct-2022  
**Submission Type:** New Application      **Registration Date:** 19-Oct-2022  
**Correspondence Name and Address:** John Loney Brooklands, Barrettstown Road,  
Newbridge, Co. Kildare  
**Proposed Development:** Permission to extend to side of house over garage to  
include a) Change of Garage door to window and b)  
to include 2 no bay windows to side at ground and  
first floor level  
**Location:** 1, Weston Court, Weston Park, Lucan, Co. Dublin.  
**Applicant Name:** Raymond Williams  
**Application Type:** Permission

(EW)

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

Site Area: as stated 0.032 Hectares.

#### Site Description:

The subject dwelling is on a corner site that is located at the northern end of Weston Court, Lucan in a residential estate, Weston Park. The site contains a two-storey semi-detached dwelling. There is an existing low wall around the front of the site rising to a 2m wall along the side boundary of the rear garden.

### **Proposal:**

The proposal consists of Permission for the following:

- Permission to extend to side of house over garage to include a)
- Change of Garage door to window and b)
- to include 2 no bay windows to side at ground and first floor level

### **Zoning:**

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

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### **Consultations:**

*Surface Water Drainage* – No report received; standard conditions apply.  
*Irish Water* – No report received; standard conditions apply.  
*Roads* - No report received.  
*SEA Sensitivity Screening* - *No overlap with SEA Sensitivity Layers*

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

No submissions received.

### **Relevant Planning History**

SD06B/0740/EP – Grant Permission of extension of duration on foot of planning ref. SD06B/0485 to extend to the north side of house over single storey structure and to install rear side gate on northern boundary for private access to rear of property.

SD06B/0740 – Grant Permission on foot of planning ref. SD06B/0485 to extend to the north side of house over single storey structure and to install rear side gate on northern boundary for private access to rear of property.

SD06B/0485 - Grant Permission to convert garage to north side of house to habitable part of house and to replace existing garage door with bay type window to west front elevation and provide additional bay window to north elevation; alter existing north side window to bay type, also erect single storey conservatory to east rear elevation, and make new rear entrance off north side road.

### **Adjacent sites**

SD19B/0173 - 23, Weston Drive, Lucan, Co. Dublin – Grant Permission for the Demolish garage and utility rooms and provide two storey extension to side with attic conversion to new and existing space; single storey extension to rear; pedestrian entrance gate to west rear boundary wall; all associated site works.

### **Relevant Enforcement History**

None on record.

### **Pre-Planning Consultation**

None on record.

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

**Policy HI4:** Residential Extensions Support the extension of existing dwellings subject to the protection of residential and visual amenities.

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***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).

***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 GI1: 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.
- ***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.
- ***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.
- ***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 12.4.2 Development Management and Green Infrastructure***

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

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### **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 side extension with bay windows 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***

#### ***First floor extension to the front & side of the dwelling***

The proposed two-storey side extension would be built above the existing ground floor garage from the gable elevation by 2.6m in a northerly direction. The first-floor gable proposal is built within the existing footprint of the dwelling. The proposed front (west-facing) elevation of the side extension introduces a new window that replaces the existing garage doorway. Two bay windows are presented with a projection of 0.9m in a northerly direction. The bay nearest the front of the dwelling reaches two storeys in height, providing gable windows to the first-floor bedrooms and a new window to the converted garage on the ground floor. The fenestration and materials used are seamless to the visual amenities of the area and are acceptable.

The proposed gable side roof has also been stepped and elongated by matching the pitched roof level of the dwelling and projecting over the first-floor gable extension. The proposed gable roof profile would create an overall seamless alteration to the dwelling. It would not significantly imbalance the set of detached houses on this established road. Therefore, the first floor/roof proposals are considered in accordance with the guidance set out in Section 4, 'Side Extensions' of the South Dublin County Council House Extension Design Guide (2010).

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### Bay windows (Dual Frontage)

The dwelling front is proposed to the north corner site of Weston court and provides dual frontage at this site location. The windows presented are consistent in size, scale and form, taking into account SDCC Development Plan 2022-2028 Section 13.5.8 (ii) Corner/Side Garden Sites state:

- *Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain;*
- *maximise passive surveillance of the public domain.*

The proposal is in view of the public domain and is consistent with Section 13.5.8 (ii) Corner/Side Garden Sites of the South Dublin County Council Development Plan 2022-2028.

### Boundary Treatment

It is noted that the applicant proposes no changes to the existing boundary wall. The proposal is recessed back from the boundary wall by 1m. The application does not clearly outline if the proposed new extension to the north side of the site impacts an existing mature tree directly inside the boundary wall. It is noted that the greening with mature trees exists mainly in the remaining drive way. The Green Infrastructure conditions will be addressed below.

### **Roads**

The proposal does not include for alterations of the existing site entrance however, the Roads Department recommend that additional information be requested from the applicant:

- *The change of garage door to a window, that extends 600mm into the driveway.*
- *The applicant shall submit a revised layout of not less than 1:200 scale, showing a minimum of 6m from the boundary to the front elevation of the proposed dwelling.*

The recommendations of the Roads Department are noted and shall be requested prior to commencement of development by **condition**, in the event of a grant of permission.

### **Green Infrastructure**

The subject application provides for a relatively small increase in the footprint of the subject house with two bay windows 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.

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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.'

### **Services & Drainage**

Regarding existing 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 development shall not affect any new water connections and therefore Irish Water conditions shall not apply.

### ***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 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 proposed and retained 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 and retained development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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### *Development Contributions*

History of contributions under previous applications as per history above.

<b>Development Contributions</b>	
<b>Planning Reference Number</b>	SD22B/0459
<b>Summary of permission granted &amp; relevant notes:</b>	Residential Extension for retention - 25 sqm. Previous extension.
<b>Are any exemptions applicable?</b>	No
<b>Is development commercial or residential?</b>	Residential
<b>Standard rate applicable to development:</b>	104.49
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€104.49
<b>Area of Development (m2)</b>	25
<b>Amount of Floor area, if any, exempt (m2)</b>	0
<b>Total area to which development contribution applies (m2)</b>	25
<b>Total development contribution due</b>	€2,612.25

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan, existing permissions for similar type development, 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, in this instance, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposed conversion of existing attic space comprising of modification of existing roof structure, would be generally in compliance with Council policy in relation to extensions to dwelling houses.

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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 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 change of garage door to a window, that extends 600mm into the driveway.  
Prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:  
(i) a revised layout of not less than 1:200 scale, showing a minimum of 6m from the boundary to the front elevation of the proposed dwelling.  
REASON: To ensure that the development has sufficient parking space.
3. The disposal of surface water shall accord with the requirements of the Planning Authority as follows:  
(a) The surface water generated by the development (roof and pavements) shall not be discharged to the sewer but shall be infiltrated locally, to a soakpit or similar. There shall be no overflow to the public network. The soakpit shall be designed to BRE Digest 365, shall be at a min. 5m from the house and shall have no impact on neighbouring properties.  
(b) If the applicant does not consider a soakpit a feasible solution, the applicant shall prove that by submitting a report signed by a suitably qualified Engineer, showing an infiltration test (with results, photos, etc), and shall propose an alternative SuDS measure for the written agreement of the Planning Authority thereafter for build-out  
(c) Any changes to the parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable



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urban drainage systems (SUDS) i.e. permeable surfacing. Where unbound material is proposed for hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath.

REASON: In accordance with GI4 Objective 1 of the County Development Plan 2022-2028 and the South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022

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) 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

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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.

### **5. Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €2, 612.25 (two thousand, six hundred and twelve euro and twenty five cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning 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

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by reason of a permission to carry out any development.

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/0459

LOCATION: 1, Weston Court, Weston Park, Lucan, Co. Dublin.



**Deirdre Kirwan,**  
**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:** 12/12/22

  
**Gormla O'Corrain,**  
**Senior Planner**