

# Comhairle Chontae Atha Cliath Theas

**PR/1609/22**

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

**Reg. Reference:** SD22B/0413      **Application Date:** 15-Sep-2022  
**Submission Type:** Additional      **Registration Date:** 30-Nov-2022  
Information

**Correspondence Name and Address:** Carol Forbes 38, Larkfield Avenue, Lucan, Co. Dublin

**Proposed Development:** Construction of single storey extension to the side of existing dwelling comprising of office, WC, utility and bedroom.

**Location:** 17, Fforster Green, Ballydowd Manor, Lucan, Co. Dublin, K78 KX05

**Applicant Name:** Teddy & Zoe O'Connor

**Application Type:** Permission

(NM)

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

#### **Site Area**

Stated as 0.020561 Hectares.

#### **Site Description**

The application site is located on Fforster Green off the R136 off junction 3 of the N4. The area is predominantly residential in nature consisting of dwellings of similar architectural style with a relatively uniform building line. The subject property is a two-storey, semi-detached corner unit with a hip pitched roof fronting onto a communal green area.

#### **Proposal:**

The development will consist of:

- Construction of single storey extension to the side of existing dwelling comprising of office, WC, utility and bedroom.
- Total area of works 27.61sqm.

#### **Zoning:**

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

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### **Consultations:**

*Irish Water* - No report received at time of writing.

*Water Services* – No report received at time of writing.

*Roads Department* – No report received at time of writing.

### **SEA Sensitivity Screening**

No overlap with relevant layers.

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

None received.

### **Relevant Planning History**

#### **Subject Property**

None.

#### **Adjacent sites:**

SD19B/0472 - 1, Fforster Green, Lucan, Co. Dublin – **Permission Granted** for construction of a part two storey part single storey extension to the side and a single storey extension to the rear together with associated internal alterations.

SD10B/0452 - 31, Fforster Green, Lucan, Co. Dublin – **Permission Granted** for construction of a two-storey extension to the side including new gable windows, a single storey extension to the rear, the introduction of a new side entrance gate and a solar panel system to the rear main roof pitch.

### **Relevant Enforcement History**

None.

### **Pre-Planning Consultation**

None.

### **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***

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*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 G11: Overarching*

*G11 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.*

*G12 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.*

*G14 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

### *Section 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 12.5.8 Residential Consolidation*

#### ***Extensions***

*The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.*

### **National Guidelines & Policy relevant to Development Management**

*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

*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
- Roads
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

### *Zoning and Council Policy*

A development comprising of the construction of single storey extension to the side of existing dwelling comprising of office, WC, utility and bedroom 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*

#### *Residential*

The subject site is located on a corner the eastern gable fronts onto a public footpath and road. The height of the eastern boundary wall is 1.8m and the ridge height of the proposed extension is approximately 2.9m to the top of the parapet meaning the proposed development will be 1.1m above the existing boundary wall. The House Extension Design Guide recommends that there are no blank facades facing onto public footpaths and roads but given that it is only minimal section of the eastern gable wall will be visible, it **is acceptable in this instance**. The proposed extension protrudes approximately 5.9m past the existing rear building line which could potentially be considered overbearing in the site context but given that it is situated along the eastern boundary and not abutting the attached property to the west, it is acceptable in this case.

**The proposed development would not lead to any additional overlooking, overshadowing or loss of light or aspect of any properties in the area and is therefore acceptable.**

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### *Visual*

The extension is recessed from the main building line to the front of the existing dwelling by 1.65m which is visually **acceptable**. The northern elevation (front) is brick clad and it is proposed that the extension façade is concrete rendered inline with the concrete rendered façade of the eastern gable and is therefore visually **acceptable**.

**Overall, the proposed development would not be injurious to the residential or visual amenities of the area.**

### *Drainage*

No report was received from Water Services or Irish Water at the time of writing. A condition regarding the appropriate treatment of surface water drainage and the provision of Sustainable urban Drainage Systems (SuDS) should be attached in the event of a grant of permission. It appears that the proposed development is located within an unacceptable distance of existing Irish Water infrastructure as per the Irish Water maps. The applicant should be requested to confirm that there is a minimum 3m distance achievable between the proposed development and Irish Water infrastructure by **Additional Information**. Should the pipes be located within an unacceptable distance, the applicant should be requested to demonstrate how they would mitigate any such issues.

### *Roads*

No report was received from the Roads Department at the time of writing and from the plans as submitted by the applicant, it appears that there will be no change to the parking or access and egress arrangements on site and therefore the proposed development is acceptable.

### *Green Infrastructure*

The subject application provides for a relatively small increase in the footprint of the subject house on an established suburban residential site. The site is not located within a Primary GI Corridor, or a 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).

Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required.

### *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 extension to the side of existing dwelling comprising of office, WC, utility and bedroom.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and

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- 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 (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*

<b>Planning Reference Number</b>	SD22B/0413
<b>Summary of permission granted &amp; relevant notes:</b>	Residential Extension – 27.61sqm. No previous extension.
<b>Are any exemptions applicable?</b>	Yes
<b>If yes, please specify:</b>	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
<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>	27.61
<b>Amount of Floor area, if any, exempt (m2)</b>	27.61
<b>Total area to which development contribution applies (m2)</b>	0
<b>Total development contribution due</b>	€ 0

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### **SEA Monitoring Information**

Building Use Type Proposed:

Floor Area: 27.61sqm

Land Type: Urban Consolidation.

Site Area: 0.020561Hectares.

### **Conclusion**

The proposed side extension is substantially acceptable but Additional Information should be sought to address the issue as highlighted in the report.

### **Recommendation**

Further Information Requested on 9/11/2022.

Further Information Received on 30/11/2022.

### **Consultations:**

*Water Services* – No report received at the time of writing.

### **Assessment**

#### **Item 1:**

#### *Irish Water Infrastructure*

*The proposed side extension appears to be located within an unacceptable distance of existing Irish Water Infrastructure and a distance of at least 3m should be achieved. The applicant should provide drawings including a site plan confirming the distances between them. If the proposed development is located within an unacceptable distance of the existing Irish Water Infrastructure, the applicant should provide and demonstrate an appropriate engineered solution including revised drawings to mitigate any potential issues and this should be provided by a qualified engineer.*

The applicant submitted the following by way of response:

- Cover Letter
- Ground Floor Plan Showing Adjacent Pipework
- Section View Showing Adjacent Pipework

The applicant has confirmed that the existing boundary wall is in place and the works required are within the confines of the site area inside the wall and therefore there will be no impact on the existing pipe infrastructure network.

The plans as submitted indicate that the proposed development is located within an unacceptable distance of the existing Irish Water Infrastructure. Notwithstanding this, it is deemed appropriate that a **condition** be attached in the event of a grant of permission ensuring that the proposed development is agreed with Irish Water prior to development.

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<b>Amount of Floor area, if any, exempt (m2)</b>	27.61
<b>Total area to which development contribution applies (m2)</b>	0
<b>Total development contribution due</b>	€ 0

### **Conclusion**

Having regard to the 'RES' zoning objective of the site, and the nature and scale of the proposed development, it is considered that the proposal is acceptable in principle. Having regard to the additional information submitted, it is considered the proposal would accord with the South Dublin County Development Plan 2022-2028.



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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 the application, and as amended by Further Information received on 9/11/2022, 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) 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.

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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.

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated 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.

### **3. Irish Water Requirements**

Prior to commencement of development, the Applicant is required to obtain and submit of the Planning Authority for approval a Confirmation of Feasibility letter from Irish Water regarding the proposed development and the potential impact on the adjoining Irish Water assets.

**REASON:** To comply with the requirements and standards of Irish Water and in the interests of adequate water supply and wastewater infrastructure.

**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.

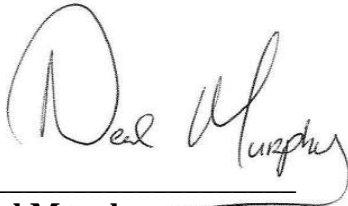
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REG. REF. SD22B/0413

LOCATION: 17, Fforster Green, Ballydowd Manor, Lucan, Co. Dublin, K78 KX05



**Neal Murphy,**  
Assistant 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: 16/12/2022

  
**Colm Harte,**  
Senior Executive Planner