

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0520 **Application Date:** 08-Dec-2022
Submission Type: New Application **Registration Date:** 08-Dec-2022

Correspondence Name and Address: Seamus Tutty, Silverhills, Ballymore Eustace, Naas, Co. Kildare.

Proposed Development: 1) build a single storey extension to the rear of the existing two storey dwelling, 2) install an additional roof light in the existing single storey lean-to roof to the side, 3) build a domestic storage shed/home gym in the rear garden adjoining the existing bicycle shed and 4) for all associated site works including widening the vehicular access to the front (where the roadside kerb is already dished).

Location: 13, Weston Court, Lucan, Co. Dublin, K78 H580

Applicant Name: Dermot & Siobhan O'Leary

Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: Stated as 0.05 Hectares.

Site Description

The site is located at the end of a cul-de-sac in Weston Court in Lucan. The existing house is one of a number of detached two storey houses with pitched roofs and with a staggered building line. The existing house has a single storey side and rear extension and there is a detached shed built to the eastern site boundary to the side and rear.

Proposal

Permission is being sought for:

- Demolition to existing dwelling measuring c.24.8sq.m & demolition of existing shed 12.1sq.m (note: these areas are being re-incorporated).
- Build a single storey extension to the rear of the existing two storey dwelling,
- Install an additional roof light in the existing single storey lean-to roof to the side.
- Build a domestic storage shed/home gym in the rear garden adjoining the existing bicycle shed.
- Widening the vehicular access to the front.
- Proposed works extension 16.6sq.m., shed 20.5sq.m. Total 37.1sq.m.

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

Zoning

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

Consultations

Surface Water Drainage – No report received, subject to standard **conditions**.

Irish Water – No report received, subject to standard **conditions**.

Roads Department – No objection subject to **conditions**.

Parks Department – No objection subject to **conditions**.

SEA Sensitivity Screening

No Overlap identified with the relevant environmental layers.

Submissions/Observations /Representations

None.

Recent Relevant Planning History

None recorded for subject site.

Recent Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

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 12.5.8 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 in SDCC

Ministerial Guidelines and Policy

Project Ireland 2040 National Planning Framework, Government of Ireland (2018).

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Rebuilding Ireland: Action Plan for Housing and Homelessness, Government of Ireland (2016).

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

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

Urban Design Manual, Department of the Environment, Heritage and Local Government, (2008).

Urban Development and Building Heights Guidelines for Planning Authorities, (2018)

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government (2007).

Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Assessment

The main issues for assessment relate to:

- Zoning and Council policy
- Residential and Visual Amenity
- Access & Parking
- Parks & Landscaping
- Services and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

The proposed development 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 South Dublin House Extension Design Guide 2010.

Residential & Visual Amenity

Demolition

The application includes for the partial demolition of the existing dwelling measuring c.24.8sq.m & partial demolition of the existing shed measuring 12.1sq.m. The proposed demolition is considered acceptable.

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

Single storey rear extension

The extension will span the full width of the existing dwelling and will project outwards from the main rear building line by c.4.8m. The extension will be built to the boundary with the immediate neighbour to the west and will have a flat parapet roof with a parapet height of c.3.6m to the eastern side and a parapet height of c.2.99 m to the western side. There will be no undue overlooking or overbearing impact and the extension would visually accord with the character of the area.

Install 1 no. additional roof light to the existing single storey lean-to roof to the side.

The proposed rooflight is considered to be acceptable and would visually accord with the character of the area.

Domestic storage shed/home gym in the rear garden adjoining the existing bicycle shed.

The proposed detached domestic storage shed/home gym in the rear garden will adjoin the existing bicycle shed and will be built along the boundary with the immediate neighbour to the east. The shed will have a mono-pitched roof sloping from south to north with a minimum eaves height of c.2.8m and with a maximum ridge height of c.3.39m. The shed will measure an area of 20.5sq.m. (as stated) and at c.224sqm.m (as stated) the area of private open space to remain completion would provide for a reasonable quantity of private open space for the subject site. The proposed shed would not have a significant adverse impact on residential and visual amenity and would visually accord with the character of the area. The wc/bathroom should be removed by **condition** to prevent use as a habitable dwelling.

Widening the vehicular access to the front.

The applicant has not shown the existing or proposed entrance width. In the event of a grant any widening of this vehicular entrance shall be limited by **condition** to a width of 3.5m. This is discussed further in the Access & Parking section of the report.

Access & Parking

A report was received from the Roads Department recommending no objections subject to **conditions**. An extract taken from the Roads report states the following:

Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

Description:

Proposed widening of the vehicular access to the front (where the roadside kerb is already dish).

Access:

The applicant has shown the front boundary line distance to be 5.87m. They have not shown the existing entrance width. Any widening of this vehicular entrance must be limited to 3.5m.

No Roads objections subject to the following conditions:

- 1. The vehicular access points shall be limited to a width of 3.5 meters.*
- 2. The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
- 3. Any gates shall open inwards and not out over the public domain.*

It is considered appropriate to attach the above **conditions** in the event of a grant.

Parks & Landscaping

The Parks Department have issued a report recommending a grant with **conditions**. An extract taken from the Parks report states the following:

*Recommendation: Grant with **Conditions***

The following condition is recommended to be applied:

Conditions:

1. Green Infrastructure

The applicant is requested to submit a Green Infrastructure Plan which shall be submitted as part of the suite of Landscape Plans that are required for a development. The Green infrastructure Plans should include the following information:

- Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County.*
- Indicate how the development proposals link to and enhance the wider GI Network of the County.*
- Proposed GI protection, enhancement, and restoration proposals as part of the landscape plan, where appropriate, for the site.*
- Proposals for identification and control of invasive species where appropriate, for the site*

REASON: In order to ensure the protection and enhancement of Green Infrastructure in the County through the provision of green infrastructure elements as part of the design process in accordance with relevant policies of the CDP 2022-2028.

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

Notwithstanding the above report, given the nature and scale of the proposed development it is not considered appropriate to attach the above **conditions** in the event of a grant.

Services & Drainage

No reports have been received from Surface Water Drainage or Irish Water. Notwithstanding this it is considered that standard drainage **conditions** shall be attached in the event of a grant.

Screening for Appropriate Assessment (AA)

The subject site is not located within nor within close proximity to a European site. The proposed development is in an established residential area. The development comprises side extension, attic/garage conversions.

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 (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.

Other Considerations

Development Contributions

- Proposed extension 16.6sq.m. (habitable)
- Proposed shed/home gym 20.5sq.m. (not habitable)
- No previous extension.
- **Assessable area is nil.**

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

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.
 - a) 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.
 - b) the wc/bathroom shall be omitted from the proposed shed/home gym.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained, and to prevent use of the shed as a dwelling.
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.

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

(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

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

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. Vehicular access.
 - (a). The vehicular access points shall be limited to a width of 3.5 meters.
 - (b). The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
 - (c). Any gates shall open inwards and not out over the public domain.
- REASON: In the interest of proper planning and sustainable 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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

Comhairle Chontae Atha Cliath Theas

PR/0123/23

Record of Executive Business and Chief Executive's Order

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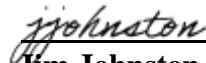
LOCATION: 13, Weston Court, Lucan, Co. Dublin, K78 H580



Ciaran Stanley,
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: 03/02/2023



Jim Johnston,
Senior Executive Planner