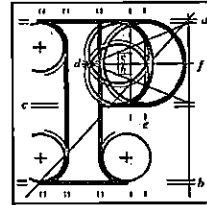


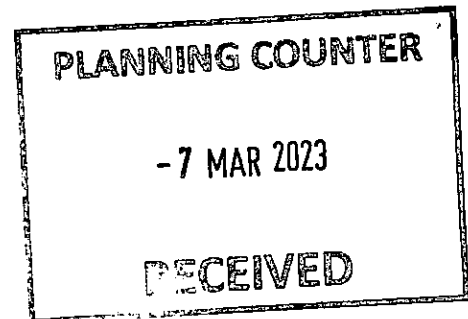
**Our Case Number:** ABP-315959-23

**Planning Authority Reference Number:** SD22A/0449



**An  
Bord  
Pleanála**

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24



**Date:** 06 March 2023

**Re:** Demolition of Garage/Shed and construction of single storey dwelling  
1, Weston Way, Lucan, Co. Dublin, K78 K257

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

**Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.**

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

- (i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,
- (ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,
- (iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,
- (iv) a copy of the notification of decision given to the applicant,
- (v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,
- (vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

- (vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of reply and documents (if any) submitted in response to such requests,
- (viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority,
- (ix) a copy of any notices to prescribed bodies/other authorities and any responses to same,
- (x) a copy of any exemption application/certificate within Part V of the 2000 Act, (as amended), applies,
- (xi) a copy of the minutes of any pre-planning meetings.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items by signing the certification on page 3 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above, please supply the following:- Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development in near proximity. "History" documents should include;

- a) Certified Manager's Order,
- b) the site location, site layout maps, all plans and
- c) particulars and all internal reports.
- d) details of any extensions of time given in respect of previous decisions.

#### **Copies of I-plan sheets are not adequate.**

Where your records show that a decision was appealed to the Board, it would be helpful if you would indicate the Board's reference.

Submissions or observations by the planning authority.

4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered, and where none have been validly received, the Board may determine the appeal without further notice to you.

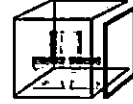
#### **Contingency Submission**

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development / Supplementary Development Contributions) including any special condition which might be appropriate under section 48(2)(c) of the Act. Any such contingency submission, in circumstances which your

<b>Teil</b>	<b>Tel</b>	(01) 858 8100
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<b>AN BORD PLEANÁLA</b>	
LDG- <u>061621-23</u>	
ABP- _____	
03 MAR 2023	
Fee: € <u>220</u>	Type: <u>CARA</u>
Time: <u>9:25am</u>	By: <u>HAAD</u>



## Coughlan Consulting Engineering

Consulting Structural & Civil Engineering  
25 Kiltipper Avenue, Aylesbury, Tallaght, D24 F2NR  
T 086 3872337 / E robertcoughlan@ymail.com

22045

02<sup>nd</sup> March 2023

**Appeal Against Notification of Decision to Refuse Planning Permission at 1, Weston Way, Lucan, Co. Dublin, K78 K257 for the demolition of a previously granted (S95B/0181) single storey domestic garage/shed to rear and the construction of a new single storey family annex unit with garage, largely over the same footprint as the original garage/shed unit and associated works— Register Reference South Dublin County Council, SD22A/0449**

An Bord Pleanála  
64 Marlborough Street  
Dublin 1

Dear Sir/Madam

Coughlan Consulting Engineering acting as the agent of the building owners, Sean and Sharon Duddy would like to make an appeal against the decision to refuse Planning Permission for the proposed development at 1 Weston Way, Lucan, Co. Dublin, K78 K257. The application was assessed as a Family Flat. The application was not for a Family Flat and no where in the application is there a reference for a Family Flat. The application was a stand alone single storey annex unit as outlined on the drawings and associated Planning Report submitted with the application.

### **Project Description:**

Demolition of a previously granted (S95B/0181) single storey domestic garage/shed to rear and the construction of a new single storey family annex unit with garage, largely over the same footprint as the original garage/shed unit and associated works; The annex will consist of one bedroom, combined living and kitchen area, WC and storage room; The roof will be mono-pitched with parapet walls and will house rooflights over kitchen and WC; Existing pedestrian and vehicular access points to serve the annex will be maintained.

### **Reason for Refusal of Planning Drawings:**

- 1) The proposed development, would involve the provision independently accessible and self contained residential unit that would not be directly accessible from the front door of the main dwelling via an internal access door and therefore would fail to comply with the Family Flat Pg. 2 provisions of Section 12.6.8 Residential Consolidation of the South Dublin Council Development Plan 2022-2028 and if granted would set an undesirable precedent contrary to the proper planning and sustainable development of this location. The absence of a justification for the family-flat is also noted.

**Coughlan Consulting Engineering have reviewed the Planners Report dated 7<sup>th</sup> February 2023 and would make the following comments in relation to the appeal:**

- 1) The application was refused as the proposal would fail to comply with the Family Flat Provisions of Section 12.6.8 Residential Consolidation. The application was made for a stand alone Annex Dwelling to the rear.
- 2) The application was not for a Family Flat and nowhere in the application is there a reference for a Family Flat.
- 3) The application was a stand alone single storey annex unit. The title of the Planning Report accompanying the application is "Planning Report for Annex Dwelling at Rear of 1 Weston Way, Lucan, Co. Dublin". A copy of this report can be found in Appendix A.
- 4) The application was not produced in line with the requirements for Family Flats in Section 12.6.8 of the South Dublin County Development Plan 2022-2028.
- 5) The application was produced under Corner and Garden Sites and Backland Development in Section 12.6.8 of the South Dublin County Development Plan 2022-2028.
- 6) The refusal stated the proposal would set undesirable precedent contrary to the proper planning and sustainable development of this location. The site size and location make this proposal unique to most other sites in the area. This corner/ backland site already has an in situ garage structure on site. The proposal is to build the dwelling largely over the footprint of the existing structure in a like for like proposal, while maintaining part garage space. Please refer to Aerial Photo in Appendix B showing extent of existing garage.
- 7) The site size allows for a 1 bedroomed dwelling with all room sizes, amenity space, car parking and fire tender access requirements all achieved. The refusal stated an undesirable precedent to proper planning may be set. Based on this size and geometry of this unique site, it would not be possible to achieve all 1 bed dwelling requirements elsewhere in the area. It is and is our belief that an undesirable precedent cannot be set should the annex dwelling be granted.
- 8) The purpose for the build is for the clients children in the future. The planning report in appendix A states "The clients have huge concerns if their children will have the financial means to live in their own property and feel an annex 1 bedroom dwelling would assist their children at various stages, as they try to get onto the property ladder". The clients would be happy for it to be conditioned in any grant of permission that the annex dwelling is for family use only.
- 9) Zoning and Council Policy -The proposed development is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. The proposed development would incorporate a corner site/backland development which is permissible in principle under the RES zoning objective, subject to their being in accordance with criteria for outlined under Section 12.6.8 of the South Dublin County Development Plan 2022-2028.
- 10) Coughlan Consulting Engineering would ask that An Bord Pleanála consider the application under the requirements of Corner/Side and Backland Development sites. The requirements of both are outlined below and commentary on how this is incorporated into design is also included.

### 12.6.8 Corner / Side Garden Sites

Development on corner and / or side garden sites should be innovative in design appropriate to its context and should meet the following criteria:

- In line with the provisions of Section 6.8 Residential Consolidation in Urban Areas the site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings ensuring no adverse impacts occur on the residential amenity of adjoining dwellings;  
CCE- We believe this has been fully demonstrated in the application.
- Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain;  
CCE- The position of the dwelling is located to the rear against both side boundaries so dual frontage was not possible.
- The dwelling(s) should generally be designed and sited to match the front building line and respond to the roof profile of adjoining dwellings where possible.  
CCE- The position of the dwelling is located to the rear so does not match the building line.
- Proposals for buildings which project forward or behind the prevailing front building line, should incorporate transitional elements into the design to promote a sense of integration with adjoining buildings;  
CCE- We believe this has been fully demonstrated in the application. The single storey element and finishes promote sense of integration with adjoining buildings.
- The architectural language of the development (including boundary treatments) should generally respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings;  
CCE- We believe this has been fully demonstrated in the application.
- A relaxation in the quantum of private open space may be considered on a case-by-case basis whereby a reduction of up to a maximum of 10% is allowed, where a development proposal meets all other relevant standards and can demonstrate how the proposed open space provision is of a high standard, for example, an advantageous orientation, shape and functionality;  
CCE- The main dwelling at 1 Weston Way is a 4 bedroomed house requiring 70m<sup>2</sup> of amenity space under the guidelines. The requirement of a 1 bedroom dwelling is 48m<sup>2</sup> resulting a total requirement of 118m<sup>2</sup>. Although there is no amenity space to the side or rear of the proposed annex, the dwelling and annex would be occupied by the same family and share the 253m<sup>2</sup> of amenity space on the site.
- Any provision of open space to the side of dwellings will only be considered as part of the overall private open space provision where it is useable, good quality space. Narrow strips of open space to side of dwellings shall not be considered as private amenity space.  
CCE- We believe this has been fully demonstrated in the application

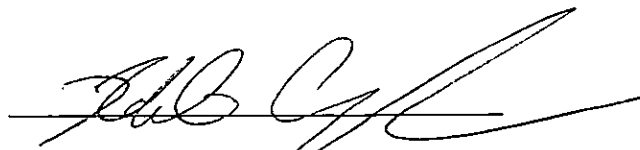
## Backland Development

The design of development on backland sites should meet the criteria for infill development in addition to the following criteria:

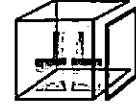
- Be guided by a site analysis process in regard to the scale, siting and layout of development;  
CCE- We believe this has been fully demonstrated in the application
- Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area;  
CCE- We believe this has been fully demonstrated in the application
- Demonstrate that there is no undue overlooking, and that overshadowing is assessed having regard to 'Site Layout Planning for Daylight and Sunlight' (2nd edition): A Guidelines to Good Practice (BRE 2011) and BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting' or any updated guidance; Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.  
CCE- We believe this has been fully demonstrated in the application. The planners report states - Overlooking & Overbearing impact The proposed development would result in an increase in height from the existing 2.55m high shed to the proposed accommodation with an approximate maximum height of 3.4m. no objections are raised in this regard.

For and on behalf of: Coughlan Consulting Engineering  
25 Kiltipper Avenue,  
Aylesbury,  
Tallaght,  
Dublin 24.

Signed:



Name: Robert Coughlan  
Qualifications: BE, CEng, MIEI, MStructE, BER Assessor.  
Professional Body/Membership No. MIEI No.: 053927



## Coughlan Consulting Engineering

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22033

30<sup>th</sup> November 2022

### Planning Report for Annex Dwelling at Rear of 1 Weston Way, Lucan, Co. Dublin

#### 1.0 Introduction

Coughlan Consulting Engineering have prepared this planning report for South Dublin County Council. The proposed annex dwelling is located to the rear of the existing family home at No. 1 Weston Way, Lucan, Co. Dublin. The proposed development, as contained within the statutory press and site statutory planning notices, provides for:

**For the demolition of a previously granted (S95B/0181) single storey domestic garage/shed to rear and the construction of new single storey family annex unit with garage, largely over the same footprint as the original garage/shed unit and associated works. The annex will consist of 1 bedroom, combined living and kitchen area, WC and storage room. The roof will be mono-pitched with parapet walls and will house rooflights over kitchen and WC. Existing pedestrian and vehicular access points at 1 Weston Way to serve the annex will be maintained.**

This report sets out the planning rationale and justification for the proposed development, including an assessment of the proposed development having regard to the South Dublin Development Plan 2022-2028. It is submitted that the proposed development accords with the proper planning and sustainable development of the area.

#### 2.0 Site Location and Description

The subject site is located on the northern side of 1 Weston Way, Lucan, Co. Dublin. There is an existing two-storey, 4 bedroomed detached house as the principal structure on the site. There is an existing garage/shed structure to the rear of the main dwelling to the north. This garage/shed is used generally to store garden and family items. Retention Permission (SD95B/0181) was obtained for the garage/shed structure in 1995.

The existing garage/shed structure is constructed with a solid concrete floor, block walls and precast concrete roof. The structure is uninsulated. The structure is built off the garden boundary walls on the

north and east elevations and inside the stone boundary wall on the western side. There existing structure is not well weathered and water ingress is an issue.

The clients have young children with the oldest in their early-mid teens. The clients have huge concerns if their children will have the financial means to live in their own property and feel an annex 1 bedroom dwelling would assist their children at various stages, as they try to get onto the property ladder. The clients confirm and are happy for it to be conditioned in any grant of permission that the annex is for family use only.

It is proposed to demolish the existing garage/shed and construct a new 1 bedroom annex dwelling with shed structure. The proposed building will be built substantially over the existing footprint. The internal area of the existing structure is 69.2m<sup>2</sup>. The internal area of the proposed structure is 72m<sup>2</sup> including the new shed structure.

The walls of the proposed structure will be built inside the boundary walls on the north, west and east elevations. These walls will have parapet structures and are proposed to be circa 800mm higher than the existing structure at 3.375m high. There will be a monopitched roof falling front to back. The roof will have a feature canopy detail on the front elevation.

The proposed annex is fully compliant with Table 3.20 Chapter 12.6.7 of the implementation and Monitoring Policy South Dublin County Development Plan 2022-2028 in terms of minimum room areas and widths.

As the annex will be fully used by the owners of 1 Weston Way, the amenity space for both dwellings is calculated as the rear garden area between the main dwelling and proposed structure together with the amenity space area at the side on the west of 1 Weston Way.

Fire tender access is achieved through the side vehicular entrance of 1 Weston Way or alternatively from the main R403 to the west. It is noted that fire tender access on some proposed stand alone rear annex structures is problematic but is easily accessible with the proposed layout of this annex on the site.

The existing driveway on the south in front of the main dwelling caters for 2 cars. Under the South Dublin County Development Plan 2022-2028, a 1 bedroom single storey dwelling would require 1 car park space. This will be catered for on the west of the existing dwelling.

The proposed single storey structure will be essentially replacing the existing structure on site. The single storey nature ensures that is not overbearing or overlooking any neighbouring structure. The elevational finishes will match that of the surrounding buildings.

### **3.0 Proposed House Area Schedule**

Chapter 12.6.7 of the implementation and Monitoring Policy of the South Dublin County Development Plan 2022-2028 requires that all residential units and buildings are designed in accordance with the



relevant quantitative standards including the document 'Quality Housing for Sustainable Communities' (2007). The proposed house complies with all of the standards set out in that document for a one bedroom, single storey property for 2 people.

#### **Area Schedule for 1 Bedroom, 2 Person, Single Storey House**

Target gross floor area = 44m <sup>2</sup>	Actual = 52 <sup>2</sup>	
Minimum aggregate living area = 23m <sup>2</sup>	Actual = 26.65 m <sup>2</sup>	
Minimum aggregate bedroom area = 11m <sup>2</sup>	Actual = 16.4 m <sup>2</sup>	
Minimum storage area = 2m <sup>2</sup>	Actual = 5 m <sup>2</sup>	
Minimum area of double bedroom= 11.4m <sup>2</sup>	Actual = 16.4 m <sup>2</sup>	
Minimum unobstructed living room width = 3.3m for one bedroom		Actual = 3.7m
Minimum unobstructed bedroom width= 2.1m fore one bedroom		Actual = 3.0m

#### **4.0 Foul and Surface Water Drainage and Watermain Design**

##### **Proposed Surface Water Drainage**

The Greater Dublin Strategic Drainage Study (GSDSDS) requires that Sustainable Urban Drainage Systems (SuDS) measures are implemented on site in order to reduce and improve the quality of the runoff from the site. The proposed development has been assessed in relation to SUDS.

The existing shed/garage structure collects the surface water runoff off the roof and discharges into the surface water network at the rear of the main dwelling. There are no SuDS measures currently on site for the garage/shed structure. The increase in hardstanding of the existing and proposed structure is circa 3m<sup>2</sup>. The SuDS proposed for dwelling are:

- 1) 100l waterbutt proposed on the rainwater downpipe on the southeast of the annex
- 2) Permeable paving between the rear of the main dwelling and the proposed annex
- 3) The surface water drainage pipes off the annex will be filter drains and will allow water to naturally infiltrate in the ground.

The level of proposed surface water runoff from the proposed annex entering the surface water drainage network at the rear will be greatly reduced from that of the existing arrangement on site.

##### **Existing Foul Drainage**

There is an existing separate 110mm diameter foul water drainage network to the rear of 1 Weston Way. This is the start of the drainage line which falls to the east of the site.

##### **Proposed Foul Drainage**

It is proposed to connect the foul drainage from the annex of this existing foul drainage network. A new 100mm diameter foul drain is proposed to transverse across the rear garden and connect to existing separate foul drainage network.

The design guidelines of the Environmental Protection Agency (EPA) Wastewater Treatment Manual, "Treatment Systems for Small Communities, Business, Leisure Centres and Hotels" was used to calculate the proposed foul run-off.

The total flow generated from the 1 house on the development is calculated as follows:

Building Use	No. of People	Flow (lit/person/day)	BOD (g/hd/d)	Daily Flow	Daily BOD (g)
1 Houses	2	180	60	360	120

**Table 1: Calculation of Peak Daily Flow**

Equivalent PE Daily Flow @ 180 l/hd/d	= 4 PE
Daily Organic @ 60 g/hd/d	= 4 PE
Foul Sewer System Designed for 6 DWF	
Loading @180 l/hd/d	= 720 l/day
	= 0.009 l/s (1 DWF)
	= 0.04 l/s (4 DWF)
<b>Foul sewer development demand</b>	<b>= 0.4 l/s</b>

**New foul pipes proposed are 100mm and are therefore satisfactory**

### Existing Water Supply

Irish Water record drawings indicate that there is a cast iron watermain on 1 Weston Way. It

### Proposed Water Supply

It is proposed to make a new connection to the cast iron watermain on 1 Weston Way

It is generally accepted that the design loading for foul drainage can be used to evaluate an approximation of the water demand on the site. Watermain demand is generally designed with a peak flow of 2.5 times the average. On this basis a water demand of some 900 litres/day is estimated. To further reduce the water demand on Local Authority water supplies and to reduce the foul discharge

from the development, water conservation measures will be incorporated in the sanitary facilities throughout the development, e.g. dual flush toilets.

## 8.0 Private Open Space

Table 3.20 Chapter 12.6.7 of the implementation and Monitoring Policy South Dublin County Development Plan 2022-2028 sets out development standards regarding private amenity space and gardens. The minimum required private amenity space for dwellings is as follows.

No. of Bedrooms	Minimum Garden Area m <sup>2</sup>
One bedroom	48
Two bedrooms	55
Three Bedrooms	60
Four bedrooms	70
Five or more bedrooms	75

7

Private Amenity Space states that. *"It is file policy of the Council that each dwelling should be provided with adequate, usable private amenity space in the form of a garden, patio or balcony".*

In terms of Private Gardens. Policy states that: *"It is policy of the Council that private space for housing dwellings.*

- *Be located to the rear or side of the front building line of the dwelling house and be overlooked by a kitchen or main living rooms.*
- *All reargardens should be provided with a robust, secure, opaque boundary comprising a rendered concrete block wall, capped in an acceptable manner, with a minimum height of 1.8m. Timber fencing will only be acceptable where located between dwellings within an estate.*
- *Rear gardens should not back onto public roads or public open space".*

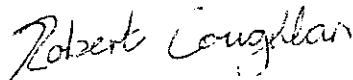
As the annex will be fully used by the owners of 1 Weston Way the amenity space is calculated as the rear garden area between the main dwelling and proposed structure together with the amenity space area at the side on the west of 1 Weston Way. The proposed amenity space at the rear of the main dwelling is circa 129m<sup>2</sup> and the proposed amenity space at the side of the main dwelling is circa 124m<sup>2</sup>, total 253m<sup>2</sup>.

The main dwelling at 1 Weston Way is a 4 bedroomed house requiring 70m<sup>2</sup> of amenity space under the guidelines. The requirement of a 1 bedroom dwelling id 48m<sup>2</sup> resulting a total requirement of

118m2. Although there is no amenity space to the side or rear of the proposed annex, the dwelling and annex will be occupied by the same family and share the 253m2 of amenity space on the site..

For and on behalf of: Coughlan Consulting Engineering  
25 Kiltipper Avenue,  
Aylesbury,  
Tallaght,  
Dublin 24.

Signed:



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Name: Robert Coughlan  
Qualifications: BE, CEng, MIEI, MISTuctE, BER Assessor.  
Professional Body/Membership No. MIEI No.: 053927

Appendix B: Aerial Photo Showing Extent of Original Garage