

Comhairle Chontae Atha Cliath Theas

PR/0377/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SDZ22A/0015 **Application Date:** 18-Nov-2022
Submission Type: Clarification of **Registration Date:** 16-Mar-2023
Additional
Information

Correspondence Name and Address: Mathew Karuvelil Gheeverughese 12, Shackleton Square, Lucan, Co. Dublin

Proposed Development: Construction of a single storey garden building, incorporating a gym / playroom and office to the rear of an existing two storey end of terrace dwelling, plus all associated site works within a Strategic Development Zone.

Location: 12, Shackleton Square, Lucan, Co. Dublin

Applicant Name: Mathew Karuvelil Gheeverughese

Application Type: SDZ Application

(COS)

Description of Site and Surroundings

Site Area: stated as 0.0209 Hectares on the application form.

Site Visit: 21st of December 2022.

Site Description

The subject site is located on Shackleton Square in Doddsborough. The site consists of a two storey end of terrace dwelling. The surrounding area is characterised by housing of a similar form and character. The site is located within the Tobermaclugg Development Area No. 4 of the Adamstown Strategic Development Zone (SDZ).

Proposal

Permission for the construction of a single storey garden building, incorporating a gym / playroom and office to the rear of an existing two storey end of terrace dwelling, plus all associated site works within a Strategic Development Zone.

Zoning

The subject site is zoned 'SDZ': *'To provide for strategic development in accordance with approved planning schemes'* under the South Dublin County Development Plan 2022-2028.

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Consultations

Water Services	No report received at the time of writing this report.
Irish Water	No report received at the time of writing this report.
Roads Department	No objections.
Public Realm	No comments/conditions to add.

SEA Sensitivity Screening – the site overlaps with aviation layers.

Submissions/Observations /Representations

No third party submissions received.

Relevant Planning History

Subject site

SDZ18A/0002

Permission for development of 268 dwellings. **Permission granted.**

Relevant conditions:

17. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development described in Classes 1 or 3 of Schedule 2 to those Regulations shall take place within the curtilage of the houses without a prior grant of permission.

REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwellings.

Relevant Enforcement History

None identified.

Pre-Planning Consultation

None identified.

Relevant Policy in South Dublin County Council Development Plan 2022 – 2028

Policy CS1: Strategic Development Areas

Prioritise housing and employment growth within the identified residential and employment growth areas set out under the Metropolitan Area Strategic Plan.

Policy CS7: Consolidation Areas within the Dublin City and Suburbs Settlement

CS7 Objective 4:

To promote and facilitate development at the Strategic Development Zones at Adamstown and Clonburris, in accordance with their planning scheme and associated phasing requirements, whilst adapting to and facilitating emerging transport service level pattern needs.

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Policy QDP7: High Quality Design – Development General

Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

Policy QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

Policy QDP15: Strategic Development Zones (SDZS)

Continue to implement the approved Planning Schemes for Adamstown and Clonburris SDZs.

Policy H11: Privacy and Security

Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

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 Chapter 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

12.3.1 Appropriate Assessment

12.3.3 Environmental Impact Assessment

12.6 Housing - Residential Development

12.6.7 Residential Standards

12.6.8 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.

12.7.4 Car Parking Standards

Table 12.26: Maximum Parking Rates (Residential Development)

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Adamstown Strategic Development Zone Planning Scheme 2014 (amended 2020)

2.0 Proposals for Development

2.3 (x) Building Language and Finishes

2.3(xii) Private Amenity Space

2.6(ii) Green Infrastructure

3.0 Development and Amenity Areas

Development Area 4 Tobermaclugg Village

4.0 Phasing and Implementation

South Dublin County Council House Extension Design Guide (2010)

The House Extension design guide contains the following guidance.

Elements of Good Extension Design

- Respect the appearance and character of the house and local area;*
- Provide comfortable internal space and useful outside space;*
- Do not overlook, overshadow or have an overbearing affect on properties next door;*
- Consider the type of extension that is appropriate and how to integrate it; and*
- Incorporate energy efficient measures where possible.*

Relevant Government Guidelines

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

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage 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, (2009).

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

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

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

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Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;
- Infrastructure and Environmental Services;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The subject site is located within the Adamstown SDZ, which is subject to zoning objective 'SDZ': *'To provide for strategic development in accordance with approved planning schemes'* under the County Development Plan.

Under the Adamstown SDZ Planning Scheme 'Residential' development is Permitted in Principle within 'Development Areas.' The site is located within the Tobermaclugg Village Development Area No. 4 and consists of an existing dwelling. The proposed development is for a single storey garden building ancillary to the main residential use. It is therefore considered to be generally in compliance with the SDZ Planning Scheme.

Structures ancillary to the main residential use within the SDZ are assessed against the relevant provisions of the Adamstown SDZ Planning Scheme, South Dublin County Council House Extension Design Guide (2010), and South Dublin County Development Plan 2022-2028.

Visual and Residential Amenity

The proposed development involves the construction of a detached garden building to the rear of the existing dwelling onsite. The building would be approx. 28.5sq.m in size internally, measuring approx. 6.1m by 5.9m externally. The structure would have a pitched roof with an overall roof ridge height of approx. 3.9m.

The submitted floor plan shows that the structure would consist of a gym/play room, office and bathroom. However, the outbuilding is intended for ancillary use. Its use should therefore only be incidental to the existing dwelling and not used as a separate living dwelling. The services connection including the w.c. should therefore be omitted from the structure. **Revised drawings should be submitted by way of additional information.**

The structure can be retained for ancillary use only and should not be used for habitation or any other purpose. A separate condition should to this effect should be attached in the event of a grant of permission.

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A full set of elevational drawings showing all elevations of the proposed structure have not been submitted. Only the front and side (south) elevations have been submitted. It is also considered, in relation to impact on residential amenity, that contiguous elevational drawings should be submitted showing the structure in relation to adjoining residential properties. Especially given that there appears to be a difference in site levels with the adjoining properties located to the north of the subject site.

The submitted site layout plan and other relevant plans do not show the levels of the site and proposed structure as required under the Planning and Development Regulations 2001, as amended. The adjoining sites facing Shackleton Drive, located to the north of the subject site, appear to be at a different site level to the subject site.

In the absence of sufficient drawings and detail in relation to the impact on the adjoining residential properties, a full assessment cannot be carried out. The Planning Authority considers that the applicant has not substantially demonstrated that the proposed development will not adversely impact on residential amenity and/or the visual amenity of the area. A full suite of elevational drawings, contiguous elevational drawings showing the structure in relation to adjoining residential properties, and a revised site layout plan, and other relevant plans, with site levels should be requested by way of **additional information**.

The external materials and finishes of the proposed structure would be a smooth render finish to selected Ral colour to match existing finishes. The new roof tiles would match the existing dwelling. The materials and finishes are considered to be visually acceptable.

The remaining rear amenity space would be approx. 43sq.m. This is considered sufficient to cater to the dwelling onsite.

Access and Parking

The Roads Department have reviewed the proposed development and have no objections. No changes are proposed to the access and parking.

Infrastructure and Environmental Services

No reports have been received from Water Services or Irish Water. Standard conditions should apply in the event of a grant of permission.

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Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no 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.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves a single storey garden building.

Having regard to:

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

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028, South Dublin County Council House Extension Design Guide (2010), and Adamstown Strategic Development Zone Planning Scheme 2014 (amended 2020),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that **Additional Information** is required to ensure the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

Request Additional Information.

Additional Information

Additional Information was requested on the 23rd of January 2023.

Additional Information was received on the 1st of February 2023 (not deemed significant).

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Assessment

Item 1 Requested

The submitted floor plan shows that the structure would consist of a gym/play room, office and bathroom. However, the outbuilding is intended for ancillary use. Its use should therefore only be incidental to the existing dwelling and not used as a separate living dwelling. The services connection including the w.c. should therefore be omitted from the structure. Revised drawings should be submitted by way of additional information.

Applicant's Response:

The applicant has submitted revised drawings showing the services connection and w.c. omitted from the structure.

Assessment:

It is therefore considered that this item has been satisfactorily addressed.

Item 2 Requested

A full set of elevational drawings showing all elevations of the proposed structure have not been submitted. Only the front and side (south) elevations have been submitted. It is also considered, in relation to impact on residential amenity, that contiguous elevational drawings should be submitted showing the structure in relation to adjoining residential properties. Especially given that there appears to be a difference in site levels with the adjoining properties located to the north of the subject site.

The submitted site layout plan and other relevant plans do not show the levels of the site and proposed structure as required under the Planning and Development Regulations 2001, as amended. The adjoining sites facing Shackleton Drive, located to the north of the subject site, appear to be at a different site level to the subject site.

In the absence of sufficient drawings and detail in relation to the impact on the adjoining residential properties, a full assessment cannot be carried out.

The Planning Authority considers that the applicant has not substantially demonstrated that the proposed development will not adversely impact on residential amenity and/or the visual amenity of the area. A full suite of elevational drawings, contiguous elevational drawings showing the structure in relation to adjoining residential properties, and a revised site layout plan, and other relevant plans, with site levels are requested by way of additional information.

Applicant's Response:

The applicant has submitted a full set of revised drawings and elevational and contiguous elevations drawings showing the proposed structure. The applicant notes that there was an error in terms of the north arrow and labelling of the drawings which has been rectified in the revised drawings.

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Assessment:

The proposed drawings show that the structure would be approx. 2.55m at eaves height and approx. 3.9m at roof ridge height. Given the proximity, scale and height of the structure, the Planning Authority would be concerned with the impact on adjoining residential properties.

The structure would be highly visible from the adjoining properties. The structure would have an unacceptable visual and overbearing impacts on No. 3 Shackleton Wood, No. 13 Shackleton Square, and particularly No. 40 Shackleton Drive due the differences in levels.

The applicant should consider reducing the scale and/or height of the building to help address this. The applicant might also consider providing a flat roof, if appropriate, to reduce the scale of the building. **This should be addressed by way of clarification of additional information.**

Conclusion

Given the proximity, scale and height of the proposed structure, the Planning Authority would be concerned with the impact on adjoining residential properties. The applicant should be requested to submit a revised proposal by way of **Clarification of Additional Information.**

Recommendation

Request Clarification of Additional Information.

Clarification of Additional Information

Clarification of Additional Information was requested on the 23rd of February 2023

Clarification of Additional Information was received on the 16th of March 2023 (not deemed significant).

Assessment

Item 1 Requested

The drawings submitted in response to Additional Information Item 2 provide more detail on the impact of the proposed structure on neighbouring residential properties. Given the proximity, scale and height of the proposed structure, the Planning Authority would be concerned with the impact on adjoining residential properties. The structure would be highly visible from the adjoining properties. The structure would have an unacceptable visual and overbearing impacts on No. 3 Shackleton Wood, No. 13 Shackleton Square, and particularly No. 40 Shackleton Drive due the differences in levels.

The applicant is requested to submit a revised proposed development reducing the scale and/or height of the building to help address these concerns. The applicant might also consider providing a flat roof, if appropriate, to reduce the scale of the building. A full set of revised proposed drawings should be submitted.

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Applicant's Response:

The applicant has replaced the pitched roof with a flat roof, reducing the overall height of the structure.

Assessment:

While the roof has gone some way to reducing the overall height of the structure the length and width of the structure has not been reduced.

The Planning Authority would still have concerns with the scale of the structure, particularly its extent along the side boundary with the neighbouring properties at a lower site level (to the north north-west of the subject site). The level differences would mean that the structure would sit at approx. 3.8m in height above these properties.

The structure should be reduced in length along this side boundary by 1.0m to address these concerns (approx. 5.85m reduced to approx. 4.85m). A revised set of drawings can be agreed by way of **condition**.

It is therefore considered that the above item has been addressed subject to **condition**.

Development Contributions

Proposed detached non-habitable structure

Assessable area = Nil

SEA monitoring

Building Use Type Proposed: Detached gym/playroom/office structure

Floor Area: 28.5sq.m (to be reduced in size by way of condition)

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0209 Hectares.

Conclusion

Having regard to the: provisions of the South Dublin County Development Plan 2022-2028, South Dublin County Council House Extension Design Guide (2010), and Adamstown Strategic Development Zone Planning Scheme 2014 (amended 2020), the established character of the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on the 1st of February 2023 and Clarification of Further Information received on the 16th of March 2023, 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. Gym/playroom/office building use.
The use of the domestic gym/playroom/office building shall be restricted to purposes incidental to the enjoyment of the house as such and shall not be used for commercial use, as a habitable unit and shall not be leased or subdivided from the main dwelling.
REASON: In the interest of the proper planning and sustainable development of the area.
3. Redesign
The structure hereby approved shall be reduced in length, along the side boundaries, from 5.85m to 4.85m.
REASON: In the interests of protecting existing residential amenity.
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) Drainage - Irish Water.
(i) The water supply and drainage infrastructure, shall comply with the requirements of

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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.

(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.

(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 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

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- 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.

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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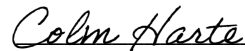
LOCATION: 12, Shackleton Square, Lucan, Co. Dublin



**Caitlin O'Shea,
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: 12/04/2023



**Colm Harte,
Senior Executive Planner**