

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1461/21

Reg. Reference: SD21B/0431 **Application Date:** 30-Jul-2021
Submission Type: Additional **Registration Date:** 12-Oct-2021
Information

Correspondence Name and Address: McDonnell Consulting 31, Saint John's Court,
Clondalkin, Dublin 22, D22E5W6

Proposed Development: Conversion of existing attic space comprising of
modification of existing hipped roof structure to form
a gable end design; construction of flat roof dormer
to the rear with dormer windows and new internal
access stairs.

Location: 35, Tynan Hall Avenue, Dublin 24

Applicant Name: Richard & Nikki Potts

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.0197 Hectares on the application.

Site Description

The subject site is located on Tynan Hall Avenue within an existing housing estate to the east of Ballymount Park. The consists of a two storey, semi-detached dormer dwelling. The streetscape consists of housing of a similar form and character.

Proposal

Permission is being sought for the conversion of existing attic space comprising of modification of existing hipped roof structure to form a gable end design; construction of flat roof dormer to the rear with dormer windows and new internal access stairs.

Zoning

The subject site is subject to zoning objective 'OS': *'To preserve and provide for open space and recreational amenities'*.

Consultations

Water Services – no objections subject to conditions.

Irish Water – not applicable.

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SEA Sensitivity Screening – no overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

None.

Relevant Planning History

Subject site

None traced to subject site.

Adjacent and surrounding sites

SD09B/0046 32 Tynan Hall Avenue

Conversion of existing attic to bedroom including raising of existing hip to form new gable and 3 'Velux' roof lights to rear. **Permission refused as it was considered that the proposed change to the roof profile would disturb the symmetry of the pair of semi-detached homes in a street where the architectural character has remained largely intact. It was also considered that it would adversely impact the visual amenity of the streetscape and would be out of character with the pattern of development in the area. The proposed development would set an undesirable precedent for other similar developments.**

SD09B/0260 32 & ABP Ref. PL 06S.234768 Tynan Hall Avenue

Conversion of existing attic to storage & recreation room including raising of existing hip to form new gable and 3 'Velux' roof lights to rear. **Permission was refused by SDCC for similar reasons to previous application Reg. Ref. SD09B/0046. The decision was appealed to An Bord Pleanála, and permission was subsequently granted. The Board in deciding not to accept the Inspector's recommendation to refuse permission, considered that, given the built forms of development in the area, the creation of a gabled roof would not be unduly discordant or visually obtrusive and considered that the proposed development would, therefore, be acceptable in the circumstances and would not create an undesirable precedent.**

Having regard to the above, it is considered that this is an undesirable precedent in the context of the predominant roof form in the area.

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

None recorded for subject site according to APAS.

Relevant Policy in South Dublin County Council Development Plan 2016 – 2022

Section 2.4.1 Residential Extensions

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Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Policy H18 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 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 3.13.0 Open Space Management & Use

Policy C 12 Open Space

Section 8.3.0 Public Open Space Hierarchy and Landscape Setting

Policy G 4 Public Open Space and Landscape Setting

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.3.4 Rural Housing

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

The House Extension design guide contains the following guidance on house extensions, including for altering the roof profile and attic conversions and dormer windows:

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.*

Side extensions:

- Extending a hipped roof to the side to create a gabled end or half-hip will rarely be acceptable, particularly if the hipped roof is visually prominent and typical of other houses along the street.

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Attic conversions and dormer windows:

-Use materials to match the existing wall or roof materials of the main house.

-Meet Building Regulation requirements relating to fire safety and stairs in terms of headroom on stairs and means of escape.

-Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch.

-Locate dormer windows as far back as possible from the eaves line (at least three tile courses).

-Relate dormer windows to the windows and doors below in alignment, proportion and character.

-In the case of a dormer window extension to a hipped roof, ensure it sits below the ridgelines of the existing roof and matches the materials used in the main house.

-Do not obscure the main ridge and eaves features of the roof, particularly in the case of an extension to the side of a hipped roof.

-Avoid extending the full width of the roof or right up to the gable ends – two small dormers on the same elevation can often be a suitable alternative to one large dormer.

-Avoid dormer windows that are over-dominant in appearance or give the appearance of a flat roof.

-Avoid the use of flat-roofed dormer window extensions on houses with hipped rooflines.

Relevant Government Guidelines

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

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

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

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).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

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Zoning and Council Policy

The site is located within zoning objective 'OS': *'To preserve and provide for open space and recreational amenities'*. Residential development is Open for Consideration in accordance with Council policy for residential development in open space. It is noted that the use of the site for residential purposes and presence of a dwelling is existing. The proposal is for an attic conversion, alteration in roof profile and dormer extension is therefore acceptable in principle.

Visual and Residential Amenity

Change in roof profile

The proposed development would involve extending the existing hipped roof to a gable end roof. Under the House Extension Design Guide *"Extending a hipped roof to the side to create a gabled end or half-hip will rarely be acceptable, particularly if the hipped roof is visually prominent and typical of other houses along the street"*. The streetscape and wider housing estate largely consist of semi-detached dwellings with hipped roofs. It is acknowledged that No. 32 Tynan Hall Avenue was granted an extension from hipped roof to gable end roof by An Bord Pleanála. A full gable end roof at the subject site is not, however, considered in compliance with the Design Guide in this instance and notwithstanding the Bord decision to grant permission, appears out of character with the predominant roof form in the area.

The subject site is located within a row of houses and a gable end roof would be out of character with the hipped roof of these houses. It would also not be in keeping with the dominant character of the surrounding area and would not accord visually in this location. It is considered that the roof profile should be redesigned to incorporate a 'Dutch' half-hipped roof. **The applicant should be requested to address this by way of submitting Additional Information.** As a result of any changes to the proposed roof profile the applicant should ensure that the proposed rear dormer extension is appropriately located on the roof.

The materials to be used for the roof would match existing. This is considered to be in compliance with the Design Guide.

Attic conversion/dormer window

The proposed development would also provide for the construction of a flat-roofed dormer extension on the rear slope of the roof. The House Extension Design Guide recommends that dormers are set at least 100mm from the ridge of the roof and at least 3 tile courses from the eaves. The dormer extension would be setback from the roof ridge and at least 3 tile courses from the eaves. It would also be setback from the sides although it is noted it has different setbacks from either side so appears unbalanced.

The applicant has not indicated what the materials would be used for the extension. In the interests of visual amenity it should be conditioned in the event of a grant of permission that all external finishes shall harmonise in colour or texture that is complementary to the house or its

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context. The proposed extension would be setback approx. 12.4m from the rear boundary. It is therefore not considered that the dormer window would create unacceptable levels of overlooking to neighbouring properties or gardens.

The proposed attic conversion would have a floor to ceiling height of approx. 1.9m to 2.1m. A note should be attached in the event of a grant of permission stating that in order to use the attic for habitable space it must comply with the Building Regulations.

Services and Drainage

Water Services has reviewed the proposed development and has no objections subject to standard conditions.

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. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and South Dublin County Council House Extension Design Guide (2010),
- 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 remainder of the development, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

Request Further Information.

Further Information

Further Information was requested on the 21st of September 2021.

Further Information was received on the 12th of October 2021 (not deemed significant).

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Assessment

Item 1 Requested

"It is considered that the proposed full gable roof profile would not be in keeping with the character of the surrounding area and would not accord visually in this location. Therefore the applicant is requested to redesign the roof profile which may incorporate a 'Dutch' half-hipped roof. Please ensure that the 'Dutch' hip is not token. As a result of any changes to the proposed roof profile the applicant should ensure that the proposed rear dormer extension is appropriately located on the roof and that the edge of the proposed dormer does not go beyond the intersection of the main roof ridge and the ridge of the 'Dutch' hip."

Assessment: The applicant has submitted documentation stating that the original proposal should be allowed. The reasons for this include that there are examples of similar designs in the area, and it is important that they maximise their internal space for family and for working from home.

The examples that the applicant state include applications that were refused by South Dublin County Council, and subsequently granted by An Bord Pleanala, or were in that instance in keeping with the character of the immediate streetscape and area, or for a house of a different form to the subject dwelling. It is also noted that the majority of these applications were assessed under previous county development plans and policy context compared to the current application.

Given the site's location within a row of houses typical of hipped roofs, it is considered that a full gable end roof would not be visually in keeping. It would therefore not comply with the House Extension Design Guide and set an undesirable precedent for similar development. It is considered that the proposed development should be granted subject to a condition that requires the proposed development to be revised to include a 'Dutch' hip. A 'Dutch' hip roof would soften the visual impact of a change in roof profile and would be more visually in accordance with the character of the streetscape than an abrupt finish of a gable end roof. Any 'Dutch' hip roof incorporated into the design should not be token.

It should also be noted that the height within the proposed attic is less than the 2.4m. In order to be used as a habitable room the Building Regulations have a requirement of 2.4m. Furthermore, a proposed 'Dutch hip' would not compromise the proposed development as suggested by the applicant. The entrance door to the house and the existing stairwell is at the gable end of the house. Rather than continuing this stairwell up to the attic along the gable end, the proposal involves switching the attic stairwell to the party wall, and therefore a 'Dutch Hip' will have no implications for head height for the attic stairwell.

Development Contributions

Attic conversion (non-habitable) 28.1sq.m

Assessable area = Nil

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SEA monitoring

Building Use Type Proposed: Residential

Floor Area: 28.1sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0197 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to the conditions set out below, the proposed development would be in compliance with Council policy in relation to extensions to dwelling houses, 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

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 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

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2. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit for the written agreement of the Planning Authority revised plans that have a roof profile with a 'Dutch' half-hipped roof. The 'Dutch' hip shall not be token and shall have the same slope as the existing fully hipped roof. As a result of any changes to the proposed roof profile the applicant should ensure that the proposed rear dormer extension is appropriately located on the roof and that the edge of the proposed dormer does not go beyond the intersection of the main roof ridge and the ridge of the 'Dutch' hip.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

3. (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.

(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

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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 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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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.


NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

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REG. REF. SD21B/0431

LOCATION: 35, Tynan Hall Avenue, Dublin 24



Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 9/11/21



Eoin Burke, Senior Planner