

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1474/21

Reg. Reference: SD21B/0500 **Application Date:** 23-Sep-2021
Submission Type: New Application **Registration Date:** 23-Sep-2021

Correspondence Name and Address: Nicola Mitchell 3, Haydens Park Close, Esker South, Lucan, Co. Dublin

Proposed Development: Conversion of attic to non-habitable storage space to include 3 'Velux' windows to rear roof elevation; change of existing hip roof type to gable type; 1 new window in new gable wall section.

Location: 3, Haydens Park Close, Esker South, Lucan, Co. Dublin

Applicant Name: Nicola Mitchell

Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: Stated as 0.0198 Hectares.

Site Description:

The subject site is located in Haydens Park Close in Lucan. The subject dwelling is a two-storey, semi-detached dwelling with a hipped roof profile, single storey rear extension and apex pitched element to front. The street is characterised by other similar residential dwellings with a mainly uniform building line. It is noted the immediate neighbour to the west was granted permission for and has constructed a 'Dutch' hip roof profile.

Proposal:

The proposed development consists of the following:

- Raising side wall to create 'Dutch' hip roof profile.
- Attic conversion for storage (non-habitable) with 3 rear rooflights.
- 1 side gable window at attic level.
- Proposed works measure c.27sq.m.

Zoning:

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

Consultations:

Surface Water Drainage – No objection subject to conditions.

Irish Water – Not Applicable.

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SEA Sensitivity Screening

No overlap identified with SEA screening tool software.

Submissions/Observations /Representations:

None traced.

Recent Relevant Planning History:

None recorded for subject site.

Adjacent sites

SD08B/0712: 2, Hayden's Park Close, Lucan, Co. Dublin.

Conversion of attic to non habitable storage space with 3 no. velux type windows to the rear and the proposed change in profile of existing hipped roof to 'Dutch hipped roof' to include 1 no. velux window.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History:

None traced.

Pre-Planning Consultation:

No pre-planning consultation recorded.

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

Section 2.4.1 Residential Extensions

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 – Residential Extensions.

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 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3(i) Additional Accommodation - Extensions.

The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.

The House Extension Design Guide, *Section 4:*

- *Outside space*
- *Do not overlook, overshadow or have an overbearing impact on neighbouring properties*
- *Rear extension*

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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 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

The House Extension design guide contains the following guidance on house extensions:

- *Respect the appearance and character of the area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing impact on neighbouring properties;*
- *Conserve water and save energy where possible.*

For 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 3 tile courses);*
- *Relate dormer windows to the windows 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.*

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 (2008).

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

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

Assessment

The main issues for assessment relate to:

- Zoning and Council policy;
- Residential and Visual Amenity;

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- Services & Drainage;
- Screening for Appropriate Assessment (AA);
- Screening for Environmental Impact Assessment (EIAR).

Zoning and Council Policy

The subject site is subject to zoning objective 'RES' - 'To protect and/or improve Residential Amenity'. The development of an extension to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the 2016-2022 South Dublin County Council Development Plan and the House Extension Design Guide.

Residential & Visual Amenity

'Dutch' hip

The proposal comprises the raising of the side wall to create a 'Dutch' hip profile. The 'Dutch' hip maintains the same angle as the existing hip roof of the dwelling and is clearly distinguishable from a full gable roof. The 'Dutch' hip would integrate reasonably well with the character of the existing dwelling and with the character of the area.

Attic conversion for storage (non-habitable) & 3 rear rooflights.

The proposed attic conversion with 3 rear rooflights would integrate reasonably well the character of the existing dwelling and would comply with the SDCC House Extension Design Guide 2010. A new window will be inserted into the side gable landing window at attic level. In the event of a grant a **condition** shall be attached that this window has obscure glazing. There will be no undue overlooking or overbearing impact and the proposal would comply with the SDCC House Extension Design Guide 2010 and would visually accord with the character of the area.

Services & Drainage

Surface Water Drainage has no objections, subject to **conditions**. Irish Water has stated the application is not applicable in this instance. An extract taken from the Surface Water Drainage report states the following:

Surface Water Report: *No Objection Subject to:*

All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal

The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

Flood Risk Report:

No Objection

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Water Report: Not Applicable

Foul Drainage Report: Not Applicable

The above is noted. It is also noted that the application is for connection to existing services only. It is also considered appropriate to attach the recommended **conditions** in the event of a grant.

Screening for Appropriate Assessment (AA)

Having regard to the scale and nature of the development, connection to public services and the distance from Natura sites, it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 AA is not required.

Screening for Environmental Impact Assessment (EIAR)

Having regard to the modest nature of the proposed 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

- Development subject of this application for non-habitable attic conversion is 27sq.m. as stated.
- Assessable area is nil.

| SEA Monitoring Information | |
|---|--------------------------|
| Building Use Type Proposed | Floor Area (sq.m) |
| Residential –non-habitable attic conversion | 27sq.m. |
| Land Type | Site Area (Ha.) |
| Brownfield/Urban Consolidation | 0.0198 |

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, 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.

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)

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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.
2. Domestic Extension
 - (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). All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal.
 - (ii). The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
 - (iii). All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.
 - (iv). The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (v). There shall be complete separation of the foul and surface water drainage systems,

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both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(vi). 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.

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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.

3. Amendments - Glazing.

The attic level gable window on the western elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.

REASON: In the interest of residential amenity.

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 order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

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.

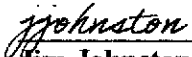
NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, 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.

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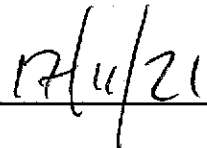
LOCATION: 3, Haydens Park Close, Esker South, Lucan, Co. Dublin



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: _____





Eoin Burke, Senior Planner