

# Comhairle Chontae Atha Cliath Theas

**PR/1605/21**

## Record of Executive Business and Chief Executive's Orders

**Reg. Reference:** SD21B/0430

**Application Date:** 30-Jul-2021

**Submission Type:** Additional  
Information

**Registration Date:** 24-Nov-2021

**Correspondence Name and Address:** Stephen Ellis, SE Home Improvements 9, The Dale,  
Kingswood Heights, Dublin 24

**Proposed Development:** Construction of a new façade wall to allow  
conversion of existing car port to new bedroom;  
ground floor rear extension with flat roof and all  
ancillary site works.

**Location:** 10, Hansted Way, Lucan, Co. Dublin

**Applicant Name:** Tracy Palmer

**Application Type:** Permission

(SW)

### **Description of Site and Surroundings:**

#### **Site Description:**

The site contains a house, with separate accommodation above. The property has a back garden, with parking to the front. At present there is an open car port integral to the building. The area is characterised by similar properties

Site Area: 0.0178 Hectares.

### **Proposal:**

The proposed development will consist of:

- Construction of a new façade wall to allow conversion of existing car port to new bedroom;
- ground floor rear extension with flat roof and
- all ancillary site works.

### **Zoning:**

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

### **Consultations:**

Surface Water Drainage: No objection, subject to conditions.

Irish Water: No objection, subject to conditions.

### **Submissions/Observations /Representations**

Submission received:

# Comhairle Chontae Atha Cliath Theas

## PR/1605/21

### Record of Executive Business and Chief Executive's Orders

- Shared roof with car port and attached car port, fascia, guttering also shared. The removal of half the shared roof will cause damage to the shared roof and guttering. It will change the original plan of the houses.
- Proposal will result in overshadowing.
- Proposal will cause noise pollution and negatively impact on privacy. Rooflight will be seen from upper floors of surrounding properties.
- Flat roof has safety issues and people can climb on it.
- Impact on property value of adjacent property.
- Proposal will result in loss of car park space for 3bed property (existing)

Comments made are considered in the assessment of the planning application below.

#### Relevant Planning History

##### *Application Site:*

S01A/0664 Development comprising 292 dwellings consisting of 14 no. 2 storey three bedroom terraced houses (Type A1), 11 no. 2 storey three bedroom terraced houses (Type A2), 18 no. 2 storey three bedroom terraced houses (Type A2a), 9 no. 2 storey two bedroom terraced houses (Type A3), 40 no 2 storey three bedroom houses with 20 no. single storey two bedroom apartments over (Type B), 6 no. 1 bedroom apartments and 14 no. two bedroom apartments in a part 4 storey, part 5 storey and part 6 storey apartment building (Type G), 26 no two bedroom units and 26 no. three bedroom units in part 2 storey and part 3 storey buildings (Type E1); 12 no. three bedroom units and 12 no. three bedroom units in part 2 storey and part 3 storey buildings (Type E2); 38 no. two bedroom units and 38 no. three bedroom units in part 2 storey and part 3 storey buildings (Type F); 8 no. two bedroom units in part 2 storey and part 3 storey buildings (Type F2); A single storey creche building (c.522 sq.m.), together with associated car parking; site development works, including the provision of surface water drainage infrastructure connecting to the recent improvements undertaken to the Griffeen River; vehicular access to be via new 6 metre wide vehicular access off Lock Road (R120) approx. 140 metres south of the existing access to the adjoining Finnstown Cloisters housing scheme; a second vehicular access is also proposed via a new 7.5 metre wide entrance to link ultimately to the planned future Adamstown Link Road approx. 79 metres west of Haydens Lane; provision of traffic management improvement measures on Lock Road (R120) in the vicinity of new vehicular access to the proposed development, including the relocation of existing maintenance access to Iarnrod Eireann lands. Permanent retention of 525 mm dia. foul sewer located along the south-western edge of the permitted extension to Griffeen Valley Regional Park adjacent to the Grange Manor housing scheme which connects to existing four sewer manhole F6 (Ex); Minor revisions to site boundaries of No. 12 Finnslnaw, No. 21 Finnsparck and No. 2 Finnswood, Finnstown Cloisters situated along the northern boundary of the site; all on the site of c 7.5 ha. **Permission Granted (SDCC and ABP)**

##### *Adjacent Sites:*

SD11B/0165 Moving and setback front wall, containing a door and glazed side panels of a ground floor room which was converted from a car port as permitted under SD06B/0558 to

# Comhairle Chontae Atha Cliath Theas

**PR/1605/21**

## **Record of Executive Business and Chief Executive's Orders**

align with front wall of the house. **Retention Permission Granted. 33, Hansted Drive, Lucan, Co. Dublin.**

SD06B/0558 Window and door to front of garage. **Permission Granted. 33, Hansted Drive, Lucan, Co. Dublin.**

### **Relevant Enforcement History**

None recorded for subject site

### **Pre-Planning Consultation**

None recorded for subject site.

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

*Section 2.4.1 Residential Extension*

*Policy H18 Residential Extension*

*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 11.2.7 Building Height*

*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 11.7.2 Energy Performance in new Buildings*

*Section 11.8.0 Environmental Assessment*

### **South Dublin County Council House Extension Design Guide, 2010**

The House Extension design guide contains the following guidance on house extensions, including in particular:

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

For rear extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*

# Comhairle Chontae Atha Cliath Theas

**PR/1605/21**

## **Record of Executive Business and Chief Executive's Orders**

- *Match the shape and slope of the roof of the existing house, although flat-roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*
- *Do not create a higher ridge level than the roof of the main house.*
- *The roofline of large extensions to the rear of single storey bungalows should not be visible from public view to the front or to the side of the bungalow.*

For front extensions:

- *Keep the extension simple and complementary to the style of the house reflecting the style and details of the main house, e.g. window location, shape, type, proportion and sill details,*
- *Reflect the roof shape and slope of the main house,*
- *Try to expose and complement rather than hide or cover original distinctive features or a house such as bay windows,*
- *Keep front boundary walls or railings particularly if they are characteristic of the street or area,*
- *Try to maintain a minimum driveway length of 6m,*
- *Where an integrated garage is to be incorporated into an extension, doors should be recessed by at least 30-50cm from the front wall of the extension and the garage door designed to include vertical elements,*
- *Avoid extensions that are dominant or over-large in relation to the scale and appearance of the house,*
- *Avoid excessive use of 'cosmetic' features such as mock classical columns, Spanish arches, decorative lattice, fascia boards, balustrades, stonework, etc., that are not typical of the design of the original house,*
- *Avoid building an extension more than 1.5m in front of the existing front wall of the house if there is a regular building line along the street*

### **Relevant Government Guidelines**

*Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.*

*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).*

# Comhairle Chontae Atha Cliath Theas

PR/1605/21

## Record of Executive Business and Chief Executive's Orders

### Assessment

The main issues to consider are:

- Zoning and Council policy;
- Residential & Visual Amenity;
- Services and Drainage;
- Screening for Appropriate Assessment (AA);
- Screening for Environmental Impact Assessment (EIAR).

### *Zoning and Council Policy*

The proposed extensions are consistent with zoning objective 'RES', in which extensions to existing dwellings are permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan regarding Residential Extensions, and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010.

It is noted that there are no conditions on the original permission (S01A/0664) restricting the conversion of car ports within the development.

### *Residential & Visual Amenity*

The proposal is for a number of distinct elements. Each of these is considered in turn below:

#### Conversion of car port and construction of façade

The proposal would convert the car port to habitable space. To enable conversion, a new façade is required. The applicant is proposing to construct the façade from materials to match the existing dwelling. Fenestration detail would also match existing. There is concern that the existing shared roof would be impacted, but it is not apparent that there would be any alterations to the existing roof structure to enable the conversion.

The proposal would not impact upon neighbour amenity in terms of loss of daylight or overlooking. It is noted that Roads has recommended refusal as the proposed development does not clearly demonstrate the parking arrangement. There is a requirement for 2 off-street, car parking spaces in this location and the proposal would result in the loss of a car parking space. It is noted that the applicant has not indicated that there is any dedicated parking for the property, other than the existing car port, as such, they should be afforded the opportunity to provide these details vid **additional information**.

A bedroom would be provided within the space – it would measure 6.125m long and 2.7m wide (at the widest point). In accordance with Quality Housing for Sustainable Communities (2009) a single room would be provided.

This element of the proposal is, therefore, considered acceptable.

#### Single storey ground floor extension to rear

The proposed extension would extend 5.319m to the rear of the car port. It would also extend c. 1.55m to the rear if the existing sitting room. The to the rear of the property. The element to

# Comhairle Chontae Atha Cliath Theas

## PR/1605/21

### **Record of Executive Business and Chief Executive's Orders**

the rear of the car port would be circa 4m wide and the element to the rear of the sitting room would be circa 2.8m wide. The extension would be circa 2.65m high with a flat roof. The new bedroom would have a roof light. Given the overall height of the proposal, it would have an acceptable impact on neighbour amenity.

The bedroom would measure 3.314m long and 3.340m wide (at the widest point). In accordance with Quality Housing for Sustainable Communities (2009) a double room would be provided.

Approximately 49sq.m of rear garden space would remain following the extension. For a new dwelling, the CDP requires 70sq.m for 4+ beds. Given the proposal is not a new dwelling and it is acceptable to extend properties into rear gardens, the remaining rear garden provision is considered to be an acceptable level.

This element of the proposal is acceptable in terms of visual and residential amenity.

#### ***Services and Drainage***

Water Services and Irish Water have stated no objections, subject to conditions.

#### ***Screening for Appropriate Assessment (AA)***

Having regard to the scale and nature of the development, 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***

- Rear extension and conversion of car port 22.57sq.m
- 40sq.m exemption
- Assessable area is nil.

##### ***Monitoring for Strategic Environmental Assessment***

**Building Use Type Proposed** Residential extension and family flat

**Floor Area (sq. m)** 22.57

**Land Type** Brownfield/Urban Consolidation

**Site Area (ha)** 0.0178

# Comhairle Chontae Atha Cliath Theas

**PR/1605/21**

## **Record of Executive Business and Chief Executive's Orders**

### **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 **further information** is required to ensure the proposed development would be in compliance with Council policy in relation to car parking, 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 Further Information.

### **Further Information**

Further Information requested: 23 September 2021

Further Information received: 24 November 2021

### **Consultations:**

Roads.

### **Submissions:**

While the proposal was not re-advertised, a point of clarification was made by an individual who made the original submission. The point made was that the concern regarding the impact on the roof. The original planner's report notes the shared roof to the front, but not the shared roof to the rear, which is the matter of concern.

### **Assessment:**

Item 1:

The Planning Authority and the Roads Department have concerns regarding the impact of the potential loss of car parking for the subject site and the implications it may have on road safety. The applicant is requested to provide details of car parking for the property, as existing and as proposed.

*Applicant's Response:*

*Car parking layout for the block of 30 properties provided. The original design included 16 car ports. The car parking layout indicates:*

- 30 standard parking bays
- 14 car ports
- 8 Additional street parking bays

*The car parking ratio is 1.73*

# Comhairle Chontae Atha Cliath Theas

## PR/1605/21

### Record of Executive Business and Chief Executive's Orders

*In relation to the planning application SD06B/0558, which was granted planning permission for the conversion of the carport, the parking ratio was 1.53.*

*Retention permission was also granted under SDZ19A/0002 for a car port conversion, with consideration given to in-curtilage spaces, car ports and adjacent on street parking.*

Assessment:

The applicant references:

- SD06B/0558 – which was determined some time ago; and
- SDZ19A/0002 – it is noted in the officer's report that each of the units has an additional in-curtilage space, as well as an adjacent bank of car parking. Additionally, the policy context was a Planning Scheme.

The Roads Department has stated:

*"The applicant submitted response give the justification of the proposed development as similar planning permissions were granted in the following planning applications.*

- SD06B/0558
- SDZ19A/0002

*Roads Department is not satisfied with the applicant submitted response as planning application SD06B/0558 was granted in 2006 with different CDP standards and the current application for the proposed development must be evaluated on SDCC CPD 2016-2022, In the case of planning application SDZ19A/0002 retention was granted with the consideration given as each of the units in those blocks have an in-curtilage car parking space in addition to car ports.*

*Road Department is concerned regarding the proposed conversion of an existing car port to a new bedroom which will result in loss of 1 on-curtilage car parking space for the proposed development and a overall car parking space reduction in the whole housing estate.*

*A grant of permission would set an undesirable precedent for the similar development in the overall housing estate this will create pressure on existing shared car parking spaces as cars will be parked on public footpath, this trend would endanger public safety by reason of a traffic hazard.*

*Roads recommend refusal for the conversion of existing car port to new bedroom as continuation of development would endanger public safety by reason of a traffic hazard.*

*(Note): Roads Department has no objection for the rest of the proposed development other than the conversion of existing car port to new bedroom".*

On the basis of the above, it is considered that the conversion of the car port should be refused. A condition is recommended requiring revised plans to be submitted, prior to the commencement of development, indicating the proposed development without the carport conversion.



# Comhairle Chontae Atha Cliath Theas

**PR/1605/21**

## **Record of Executive Business and Chief Executive's Orders**

### **Other Matters**

Concern has been raised regarding the rear extension and the impact on the shared roof with the neighbour. It is noted from the elevations, that the applicant has included features that would protect the neighbours roof following the development. This would be situated within the redline boundary of the current application and is therefore within the applicant's control.

In addition to this, it is noted that a side elevation and a section have been provided. These are both from the west elevation. The applicant is therefore, requested to, via, condition, submit an eastern elevation for the proposed rear extension.

### **Other Considerations**

#### ***Development Contributions***

- Rear extension 20.66sq.m
- 40sq.m exemption
- Assessable area is Nil.

#### ***Monitoring for Strategic Environmental Assessment***

**Building Use Type Proposed** Residential extension and family flat

**Floor Area (sq. m)** 20.66

**Land Type** Brownfield/Urban Consolidation

**Site Area (ha)** 0.0178

### **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,
- the additional information submitted,
- internal consultees;

the proposed **rear extension** is considered **acceptable** in principle and, subject to conditions 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. However, the proposed conversion of the **carport** would endanger public safety by reason of a traffic hazard and is contrary to residential amenity and planning permission should, therefore, be **refused** for this element of the proposal.

### **Recommendation**

I recommend that permission be **granted** for the rear extension only, subject to the Conditions/Reasons set out in the First Schedule hereto and that Permission be **refused** for the conversion of the carport to a habitable room for the Reason(s) set out in the Second Schedule hereto.

# Comhairle Chontae Atha Cliath Theas

PR/1605/21

## Record of Executive Business and Chief Executive's Orders

### FIRST SCHEDULE

#### Conditions and Reasons:

1. Development to be in accordance with submitted plans and details.  
The development of the rear extension only 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 24 November 2021, 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. Amendments.  
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:  
Revised plans that incorporate all of the following amendments-
  - (a) the proposed development, with the retention of the carport for parking;
  - (b) All elevations, including the eastern;
  - (c) Details of the roof of the single storey rear extension, where it joins 12 Hansted Way at a scale of no less than 1:50.REASON: In the interests of clarity and to protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3. Water Services.
  - (i) Prior to commencement of development, the applicant shall submit a drawing showing existing and proposed surface water and foul water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks.  
(Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: [servicemaps@sdblincoco.ie](mailto:servicemaps@sdblincoco.ie)).
  - (ii) All works shall comply with the Greater Dublin Regional Code of Practice for Drainage Works and Irish Water Standard Details and Code of Practices.  
REASON: In the interests of proper planning and sustainable development of the area.
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) 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

# Comhairle Chontae Atha Cliath Theas

**PR/1605/21**

## **Record of Executive Business and Chief Executive's Orders**

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.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

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

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

# **Comhairle Chontae Atha Cliath Theas**

**PR/1605/21**

## **Record of Executive Business and Chief Executive's Orders**

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.

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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/1605/21**

## **Record of Executive Business and Chief Executive's Orders**

**REG. REF. SD21B/0430**

**LOCATION: 10, Hansted Way, Lucan, Co. Dublin**

### **SECOND SCHEDULE**

#### **Reason(s)**

1. The applicant has failed to demonstrate that there would be sufficient car parking for the dwelling, following conversion of the carport, and having regard to the information submitted in relation to car parking, the proposed development would endanger public safety by reason of traffic hazard or obstruction of road users or otherwise, would adversely impact on residential amenity and would be contrary to the provisions of the County Development Plan and the proper planning sustainable development of the area.

**Comhairle Chontae Atha Cliath Theas**

**PR/1605/21**

**Record of Executive Business and Chief Executive's Orders**

**REG. REF. SD21B/0430**

**LOCATION: 10, Hansted Way, Lucan, Co. Dublin**

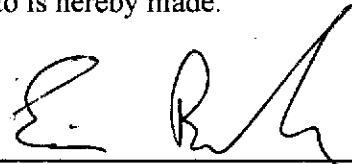


**Tracy McGibbon,  
A/Senior Executive Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning and Development Act 2000 (as amended) to Grant Permission for the rear extension only, subject to the Conditions/Reasons set out in the First Schedule hereto and to Refuse Permission for the conversion of the carport to a habitable room for the Reason(s) set out in the Second Schedule hereto is hereby made.

**Date:**

14/12/21



**Eoin Burke, Senior Planner**