

Comhairle Chontae Atha Cliath Theas

PR/0249/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0645 **Application Date:** 22-Dec-2021
Submission Type: New Application **Registration Date:** 22-Dec-2021

Correspondence Name and Address: Rose Bonner Alexander, Tun Architecture & Design
32, North Brunswick Street, Dublin 7.

Proposed Development: Conversion of existing attic space to habitable space;
works include 1 new window to the front elevation; 1
new window with obscured glazing to the side
elevation and 2 'Velux' windows to the rear roof.

Location: 56, Wilkins Court, Walkinstown, Dublin 12

Applicant Name: Gary Wilkins & Eleanor Alexander

Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Area: as stated 0.021 Hectares.

Site Description:

The site is located in the residential estate of Wilkins View, Whitehall, Dublin 12. No. 56 is terraced and is located on a streetscape contains dwellings of similar form and appearance with a uniformed building line.

Proposal:

- Conversion of existing attic space to habitable space;
- works include 1 new window to the front elevation;
- 1 new window with obscured glazing to the side elevation and
- 2 'Velux' windows to the rear roof.

Zoning:

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

Consultations:

Surface Water Drainage – No objections, standards conditions applicable.

Irish Water - No report requested – standard conditions applicable.

SEA Sensitivity Screening – No overlap indicated.

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Submissions/Observations/Representations

None received.

Relevant Planning History

None recorded for subject site.

Adjacent sites

SD21B/0281 - 48, Wilkins View, Dublin 12. SDCC **Granted Planning** for the fit out of attic for bedroom, office & en-suite; addition of 4 new windows to existing dwelling, 1 window to the front gable, 2 windows to the side gable & new rooflight to rear.

SD20B/0538 - 16, Wilkins View, Limekiln, Dublin 12. SDCC **Granted Planning** for the 3 new windows to the existing house; 1 window to the front gable; 1 'Velux' to the front roof and 1 window to the side elevation.

SD20B/0469 - 40, Wilkins Court, Limekiln Lawn, Dublin 12. SDCC **Granted Planning** for the construction of new bedroom, walk-in wardrobe and wc semi-detached property at attic level and associated works to include a new window and 'Velux' window on the front elevation; 'Velux' window to the rear and window on the gable side.

SD20B/0447- 5, Wilkin's Court, Whitehall, Dublin 12. SDCC **Granted Planning** permission for conversion of existing attic space comprising of modification of existing roof structure; new access stairs; A-style roof dormer and roof window to the front and 4 roof windows to the rear.

SD20B/0376 - 6, Wilkins Court, Limekiln Farm, Dublin 12. **Granted Planning** for Addition of 2 windows to the existing house, 1 dormer window and 1 'Velux' to the front roof.

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 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.

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Policy H18 Objective 2:

- 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 11.8.2 Appropriate Assessment

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

Overlooking and loss of privacy:

- Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.

Relevant Government Guidelines

Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities, 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).

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

Assessment

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity
- Services and drainage.

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Zoning and Council Policy

The insertion of windows in a residential dwelling is consistent in principle with zoning objective 'RES', subject to compliance with the provisions of the South Dublin County Council House Extension Design Guide (2010), and the relevant detailed policies in the County Development Plan, which will be assessed below.

Residential & Visual Amenity

It is considered that the proposed front attic window that will be inserted at the bay apex with pitch roof would not be visually prominent, would not appear out of character, and would not result in the loss of visual symmetry. It is noted that front attic windows exist in the vicinity of the site for similar adjacent properties thus development pattern already exists, having regard to the fenestration of the surrounding area, this proposal is considered acceptable.

The proposal also includes two rear 'Velux' window and the insertion of one gable attic window that will be obscured glazing to mitigate any overlooking, this is also considered to be acceptable.

Having regard to the scale and nature of the proposed development, it is considered that the residential amenity will not be impacted negatively, the proposal would be visually acceptable, it will not give rise to overlooking, over shadowing and will not be overbearing therefore is consistent with the guidance set out in the 'House Extension Design Guide 2010' and taking into consideration the pattern of development in the area, a grant of permission is recommended.

Services and Drainage.

Water Services has no objections and standard conditions to apply accordingly.
Irish Water requirements will apply as a new wc connection is proposed at attic level.

Screening for Appropriate Assessment

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

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 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.

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Development Contributions

Habitable Attic conversion: 57sq.m.

Front gable attic window/gable side window/'Velux' window: 0sq.m.

Assessable area: 17sq.m

SEA Monitoring

Building Use Type Proposed: Residential extension.

Floor Area: Attic conversion: 57sq.m.

Land Type: Brownfield/Urban Consolidation

Site Area: 0.021 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development 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. It is considered that the proposal would be consistent with Council policy in relation to extensions to dwelling houses.

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.

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REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. (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 - Surface Water.

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

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

(iii) 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.

(c) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) 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

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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.

3. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €1,776.33 (one thousand seven hundred and seventy six euros and thirty three cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public

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infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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 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/0645

LOCATION: 56, Wilkins Court, Walkinstown, Dublin 12

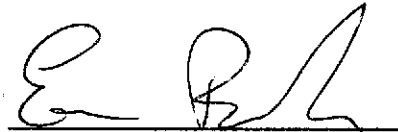
Colm Harte

**Colm Harte,
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:

24/2/22



Eoin Burke, Senior Planner