

Comhairle Chontae Atha Cliath Theas

PR/0270/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0646 **Application Date:** 22-Dec-2021
Submission Type: New Application **Registration Date:** 22-Dec-2021

Correspondence Name and Address: Robert Coughlan, Coughlan Consulting Engineering
25, Kiltipper Avenue, Aylesbury, Tallaght, Dublin
24.

Proposed Development: Construction of new slate clad pitched roof structure
not exceeding 8.950m in height above ground level
to cover the existing flat roof to include new dormer
roof over stairwell with frosted window to attic
landing level; roof light over and 'Velux' window to
front storage space and all associated site works.

Location: 52, The Drive, Millbrook Lawns, Dublin 24

Applicant Name: Ding Chen

Application Type: Permission

(CM)

Description of Site and Surroundings:

Site Area: Stated as 0.01883 Hectares.

Site Visit: 19/6/20

Site Description

The application site is at 48, The Drive, Millbrook Lawns, Tallaght, Dublin 24. The site comprises a terraced two-storey flat roof dwelling with front and rear gardens. There is on-site car parking. There are no extensions to the rear.

The style of the dwellings in Millbrook Lawns is a distinctive flat roof design. Numerous houses in the area have made alterations in the form of pitched roofs to dwellings along the road. However, the flat roof style has generally been retained.

Proposal

The applicant is seeking permission for:

- Slate clad pitched roof structure not exceeding 8.950m in height above ground level to cover the existing flat roof;
- to include new dormer roof over stairwell with frosted window to new attic landing level, area 5.67sq.m with roof light over;
- 'Velux' window within front storage space to west elevation and

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- all associated site works.

Zoning

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

Consultations

Water Services: No objection, subject to conditions.

Public Realm: No objection.

SEA Sensitivity Screening

Indicates no overlap with the relevant environmental layers.

Submissions/Observations /Representations

A submission has been received from Ms. Noirin Kelly of No. 42 The Drive. Ms Kelly does not object to the proposal but has a number of comments to make on the aftermath of similar development beside her own house. The submission also seeks a preservation order on trees on The Drive.

Unfortunately, this permission cannot consider preservation orders nor the difficulties described in relation to damp, waterlogging on the roof and localised flooding beside the house. This is an issue which may require the attention of the Environmental Services Department, but, should not impact the decision in relation to this planning application.

Recent Relevant Planning History

Subject site –

None recorded.

Neighbouring developments along The Drive –

SD19B/0171: Permission **Granted** for Construction of slate clad pitched roof structure not exceeding 8.950m in height above ground level to cover flat roof; dormer roof over stairwell with frosted window to attic landing level on south facing elevation; roof light over and 'Velux' windows to front and rear storage space on east facing elevation; all associated site works, at 10, The Drive, Millbrook Lawns, Tallaght, Dublin 24

Reg. Ref. SD15B/0023: Permission **Granted** for construction of new slate clad pitched roof structure not exceeding 8.95m in height above ground level to cover the existing flat roof; new dormer roof over stairwell with frosted window to attic landing level; roof light over and "Velux" window to front storage space to south elevation and all associated site works at 22, The Drive, Millbrook Lawns, Dublin 24.

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Reg. Ref. SD15B/0022: Permission **Granted** for construction of new slate clad pitched roof structure not exceeding 8.95m in height above ground level to cover the existing flat roof; new dormer roof over stairwell with frosted window to attic landing level; roof light over and 'Velux' window to front storage space to south elevation and all associated site works at 18, The Drive, Millbrook Lawns, Dublin 24.

Reg. Ref. SD15B/0021: Permission **Granted** for construction of new slate clad pitched roof structure not exceeding 8.95m in height above ground level to cover the existing flat roof; new dormer roof over stairwell with frosted window to attic landing level, roof light over and 'Velux' window to front storage space to north elevation and all associated site works at 20, The Drive, Millbrook Lawns, Dublin 24.

Reg. Ref. SD15B/0003: Permission **Granted** for construction of new slate clad pitched roof structure not exceeding 8.95m in height above ground level to cover the existing flat roof; to include new dormer roof over stairwell with frosted window to attic landing level; roof light over and 'Velux' window to front storage space to north elevation and all associated site works at 30, The Drive, Millbrook Lawns, Dublin 24.

Reg. Ref. SD14B/0304: Permission **Granted** for construction of new slate clad pitched roof structure not exceeding 8.95m in height above ground level to cover the existing flat roof; new dormer roof over stairwell with frosted window to attic landing level; roof light over and 'Velux' window to front storage space to south elevation and all associated site works at 23, The Drive, Millbrook Lawns, Dublin 24.

Reg. Ref. SD14B/0296: Permission **Granted** for construction of new slate clad pitched roof structure not exceeding 8.95m in height above ground level to cover the existing flat roof; new dormer roof over stairwell with frosted window to attic landing level; roof light over and 'Velux' window to front storage space to north elevation and all associated site works at 9, The Drive, Millbrook Lawns, Dublin 24.

Reg. Ref. SD14B/0295: Permission **Granted** for construction of a new slate clad pitched roof structure not exceeding 8.95m in height above ground level to cover the existing flat roof; new dormer roof over stairwell with frosted window to attic landing level; roof light over and 'Velux' window to front storage space to south elevation and all associated site works at 7, The Drive, Millbrook Lawns, Dublin 24.

There have also been a number of similar permissions granted on The Crescent, nearby.

Recent Relevant Enforcement History

No relevant enforcement history recorded for subject site.

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Pre-Planning Consultation

None recorded for subject site.

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

2.3.4 INTERNAL RESIDENTIAL ACCOMMODATION

HOUSING (H) Policy Policy 14 Internal Residential Accommodation It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long term needs of a variety of household types and sizes.

H14 Objective 2: To support adaptable housing layouts that can accommodate the changing needs of occupants, through extension or remodelling.

HOUSING (H) Policy Policy 15 Privacy and Security It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

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 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 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

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Relevant Government Guidelines:

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

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).

Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

Assessment

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity
- Screening for Environmental Impact Assessment
- Screening for Appropriate Assessment.

Zoning and Council Policy

The application site is zoned 'RES' where the objective is 'To protect and/or improve residential amenity'. Residential use is permitted under this zoning. The principle of extension and alterations to the existing house is considered acceptable.

Residential and Visual Amenity

The proposal is for a new slate clad pitched roof structure over the existing flat roof of the dwelling. The proposed new roof has a pitched profile with a front-facing hip incorporating a side facing dormer window. The new roof increases the roof ridge height of the dwelling from approximately 5.2 metres to a maximum ridge height of approximately 8.7 metres when measured externally from ground level, equating to an increase of approximately 3.5 metres.

The proposed development is one of a number of similar developments in this area, which is in transition from flat to pitched roof dwellings. There have been a number of similar development proposals both as groupings and as individual sites (some of which have been completed) along The Drive and The Crescent, in the wider Millbrook Lawns area. In this context, the proposed development is considered to be acceptable to the residential character (existing and emerging) of the area even while it departs from the original flat-roofed design of neighbouring houses.

The proposed roof extension to the dwelling would be visually acceptable and not adversely impact residential amenity of the surrounding area. The proposal is consistent with permitted and constructed roof extensions to dwellings along The Drive and wider Millbrook Lawns Estate. The proposal is acceptable.

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Water Services

The Water Services Report states no objection, subject to conditions. It recommends that water butts be used and this be a condition of development. This is considered appropriate.

The contents of the third party observation are noted. It is not considered that the proposed development would worsen the rainwater situation for adjoining dwellings.

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.

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.

Other issues

Development Contributions

- Development consists of the construction of new roof structure (non-habitable) to cover the existing flat roof providing non-habitable roof space.
- No previous extension
- Assessable area is nil.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – Extension	5.67
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.01883

Conclusion

The proposed roof profile is complementary to the design of the dwelling and reflects many similar developments that have taken place or have been permitted in the area. The proposed development would accord with the residential character of the area and support improved residential amenity, in accordance with the 'RES' land-use zoning objective and the South Dublin County Development Plan 2016-2022. Permission should be granted.

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Recommendation

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

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 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. (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.

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(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 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:

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- 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. Construction Management Plan.

No development shall take place under this permission until the applicant, developer or owner has lodged to the Planning Authority: A Construction Management Plan for the proposed development.

This Construction Management Plan shall include details of construction specifications for the proposal, fire separation, details of all agreements necessary in respect of the building up of the party walls and necessary weather proofing.

REASON: In the interests of visual and 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 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: 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.

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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/0646

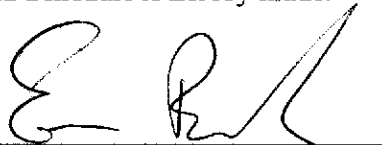
LOCATION: 52, The Drive, Millbrook Lawns, Dublin 24

jjohnston

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: 24/2/22



Eoin Burke, Senior Planner