

Comhairle Chontae Atha Cliath Theas

PR/0282/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0644 **Application Date:** 22-Dec-2021
Submission Type: New Application **Registration Date:** 22-Dec-2021
Correspondence Name and Address: JEArchitecture Park House, Ballisk Court, Donabate, Co. Dublin
Proposed Development: Conversion of attic with consequential alterations to existing rear roof to include a contemporary dormer to create a habitable bedroom with ancillary works.
Location: 10, Kingswood Mews, Dublin 24
Applicant Name: Ruta Vysniauskaite
Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: Stated as 0.021 Hectares.

Site Description:

The subject site is located in Kingswood Mews which is a new residential development in Dublin 24. The subject dwelling is a two-storey, semi-detached dwelling with a pitched roof profile. The street is characterised by other similar residential dwellings with a mainly uniform building line.

Proposal:

The proposed development consists of the following:

- Rear dormer.
- Proposed works measure c. 35.8sq.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.

SEA Sensitivity Screening

No overlap identified using the SEA screening tool software.

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Submissions/Observations /Representations:

None traced.

Recent Relevant Planning History:

No recorder for subject site.

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*

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

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

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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

The rear dormer (habitable) will be set appropriately above the eaves and below the ridge of the existing dwelling. The rear dormer will be centrally placed and will be inset slightly from the side walls. It will project outwards from the roof by c.2.4m and will have a width of c.3m. The dormer will have an internal floor to ceiling height of c.2.7m and will be habitable. A new side window will be inserted at attic level with 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 recommend no objections subject to **conditions**. Irish Water have recommended 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:

1.1 The applicant shall include Water Butts as part of Sustainable Drainage Systems (SuDS) measures for the proposed development.

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

It is considered appropriate that the above **conditions** be attached in the event of a grant of permission.

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 habitable rear dormer is 35.8sq.m. as stated.
- No previous extension.
- 40sq.m. exemption remains.
- Assessable area is nil.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential –non-habitable attic conversion	35.8sq.m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.021

Conclusion:

Having regard to the:

- provisions of the South Dublin County Council Development Plan;
- the 'RES' zoning objective;
- the overall design and scale of the development proposed;

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it is considered that, subject to the 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.

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.

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(c) Drainage - Irish Water.

(i). The applicant shall include Water Butts as part of Sustainable Drainage Systems (SuDS) measures for the proposed development.

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

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

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

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

(vi). 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.

(vii). 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

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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 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.

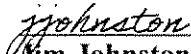
NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, 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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**REG. REF. SD21B/0644
LOCATION: 10, Kingswood Mews, 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: 24/2/22



Eoin Burke, Senior Planner