

# Comhairle Chontae Atha Cliath Theas

**PR/0292/22**

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

**Reg. Reference:** SD22B/0004      **Application Date:** 07-Jan-2022  
**Submission Type:** New Application      **Registration Date:** 07-Jan-2022  
**Correspondence Name and Address:** Mark Langrell Space Plus Ltd., Willow Cottage,  
Dixon Lane, Ballycorus Road, Kilternan, Co. Dublin,  
D18HE30  
**Proposed Development:** Attic conversion with flat roof dormer to rear  
providing a permanent stairs access, a non-habitable  
attic room and adjoining bathroom along with  
associated internal modifications and site works.  
**Location:** 47, St. Joseph's Road, Greenhills, Dublin 12.  
**Applicant Name:** Ian Higginbotham & Monika Grabowska  
**Application Type:** Permission

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

#### Site Area

Stated as 0.028ha

#### Site Description

The subject site is located on the eastern edge of St Joseph's Road, which is an established residential area and is comprised of a two-storey end of terrace dwelling with a pitched roof profile. The dwelling is comprised of an entrance porch, hall, sitting room, living area and kitchen/living area at ground floor level and 3 bedrooms and a family bathroom at first floor level.

The surrounding streetscape is characterised by terraced two storey dwellings of similar architectural form and appearance, with a generally uniform building line.

### **Proposal**

Permission is sought for:

- Conversion of the existing storage space at attic level to provide a non-habitable space and a toilet.
- A dormer extension to the rear with a height of 2.6m, a width of 3.6m and a depth of 3.4m.
- The proposed development will provide an additional 22.7sq.m, increasing the Gross Floor Area of the dwelling to approximately 125sq.m.

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- New fenestration to the rear elevation in the form of a dormer window and a smaller bathroom window.
- All ancillary site works above and below ground.

### **Zoning**

The site is subject to zoning objective 'RES' – 'To protect and/or improve residential amenity' in the South Dublin County Development Plan 2016-2022.

### **Consultations**

Drainage and Water Services Department - No objection, subject to conditions.

### **Screening for Strategic Environmental Assessment**

No overlap indicated with relevant environmental layers.

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

Last date for Submissions/Observations – 3<sup>rd</sup> February 2022.

None received.

### **Relevant Planning History**

#### **Subject Site**

No Planning History recorded for the subject site.

#### **Surrounding Context**

No planning history of significance recorded in the vicinity of the subject site.

### **Relevant Enforcement History**

None recorded for the subject site.

### **Pre-Planning Consultation**

None recorded.

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

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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*Section 11.3.3 Additional Accommodation*

*Section 11.3.3 (i) Extensions*

*Section 11.5.2 (iv) Development in Proximity to a Protected Structure*

*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 Design Guide (2010) or any superseding standards.*

**The South Dublin County Council House Extension Design Guide (2010)**

Elements of Good Extension Design:

- *'Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible'.*

For attic conversions and dormer windows:

- *Use materials to match the existing wall of roof materials of the main house;*
- *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; and*
- *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.*

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*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 are:

- Zoning and Council policy;
- Visual Impact and Residential Amenity;
- Drainage and Water Services;
- Environmental Impact Assessment;
- Appropriate Assessment.

### **Zoning and Council Policy**

The proposed development is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. New residential extensions to existing dwellings are permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010 and the South Dublin County Development Plan 2016-2022, with specific reference to Section 11.3.3(i) which relates to extensions.

### **The South Dublin County Council House Extension Design Guide (2010)**

The Planning Authority notes that the proposed conversion of the attic and rear dormer extension generally comply with the content of the South Dublin County Council House Extension Design Guide (2010). The dormer appears to be set back at least 3 tile courses from the eaves line. Whilst it is noted that the dormer is set below the ridge line of the existing roof profile, it is unclear from the drawings provided to what extent it is set below the ridge. However, the Planning Authority is satisfied that this can be addressed by way of condition requiring the dormer to be set a minimum of 100mm below the ridgeline of the existing roof profile.

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### Visual Impact and Residential Amenity

Notwithstanding the concerns outlined in the foregoing section which can be addressed by way of a condition, it is considered that the proposal would not be materially harmful to neighbouring residential amenity in terms of overshadowing and overbearing.

Although there is potential for the proposed dormer window to overlook adjacent properties, specifically Nos. 45 and 49 St Joseph's Road, it is not considered that it would be materially worse than views from the existing first floor windows and therefore would not give rise to unacceptable levels of overlooking.

Having regard to the overall scale and design of the proposed rear dormer extension, it is considered that the proposal would not obscure the main features of the existing roof profile and would not have an adverse impact on the residential and visual amenity of the subject site and adjacent properties.

### Internal Layout

It is noted that amendments are required to the internal layout of the first floor level to facilitate the extension of the existing stairway upwards to the attic level. As a result of the amendments, the size of Bedroom No.1 will be reduced from 6.3sq.m to 4.1sq.m.

Section 11.3.1(iv) of the South Dublin County Development Plan 2016-2022 outlines the minimum dwelling standards as follows:

*'The design and layout of individual dwellings should provide a high quality living environment for residents. Designers should have regard to the targets and standards set out in the Quality Housing for Sustainable Communities Guidelines, DEHLG (2007) with regard to minimum room sizes, dimensions and overall floor areas when designing residential accommodation.... In houses and apartments (apartment/duplex units) **the floor area of single bedrooms must be a minimum of 7.1 sq. metres; the floor area of a double bedroom must be a minimum of 11.4 sq. metres; and the floor area of the main bedroom should be at least 13 sq. metres**'.*

Having regard to the already substandard existing floor area of Bedroom No.1, the Planning Authority has concerns regarding the proposed further reduction in the floor area of the bedroom to just 4.1sq.m. However, it is noted that the proposed development will result in the removal of a c.1.1m wide entrance to the bedroom, which is currently comprised almost entirely of the door swing and as such is unlikely to be 'usable' space. It is therefore considered that the removal of this small area is unlikely to significantly impact the overall layout of the existing bedroom. As such, in this instance the substandard floor area of Bedroom No. 1 is acceptable to the Planning Authority.

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### Drainage and Water Services

The Drainage and Water Services Department has stated no objection, subject to the following conditions:

- 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.

### Screening for 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.

### Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

### Other Considerations

Development Contributions	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential (Dormer Extension)	22.7sq.m
Previous Extension	0sq.m
Assessable Area	0sq.m

SEA Monitoring Information	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential (Dormer Extension)	22.7sq.m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.028 Ha

### Conclusion

Having regard to the 'RES' land-use zoning of the area, the relevant policies and objectives of the South Dublin County Development Plan 2016 – 2022 and the recommendations and the

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South Dublin House Extension Design Guide 2010 it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the residential and visual amenity of adjacent properties and would not significantly alter the character of the streetscape. It is therefore considered that the proposed development adheres to the key principles of proper planning and sustainable development.

### **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 to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety 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.

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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 drainage works for this development shall comply fully 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



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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 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.

**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. SD22B/0004**

**LOCATION: 47, St. Joseph's Road, Greenhills, 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:**

3/3/22



**Eoin Burke, Senior Planner**