

Comhairle Chontae Atha Cliath Theas

PR/0316/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0007 **Application Date:** 14-Jan-2022
Submission Type: New Application **Registration Date:** 14-Jan-2022

Correspondence Name and Address: Mr. Graham McNevin, McNevin Design 3, Killakee Gardens, Firhouse, Dublin 24

Proposed Development: (1) Conversion of attic space to non-habitable space with dormer window to rear and (2) single storey porch to front of existing dwelling and all associated site works.

Location: 29, Rushbrook Grove, Dublin 6w

Applicant Name: Alison and Andrew Cullen

Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: as stated 0.02 Hectares.

Site Description:

The site contains a two-storey, semi-detached dwelling with pitched roof located along the established Rushbrook Grove residential estate. The dwelling has a single storey rear extension. The streetscape is predominantly characterised by semi-detached dwellings with pitched roofs and a mainly uniform building line.

Proposal:

The proposed development comprises of the following:

- Non-habitable rear dormer (c.22.3sq.m).
- Single storey front porch extension (c.2.7sq.m).
- Proposed works measure c.25sq.m.

Zoning:

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

Consultations:

Surface Water Drainage – No objections subject to **conditions**.

Irish Water – No objections subject to **conditions**.

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SEA Sensitivity Screening

No overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

No submissions received.

Relevant Planning History

None recorded for subject site.

Adjacent sites:

SD16B/0430: 35 Rushbrook Grove, Templeogue, Dublin 6W.

Construct a two storey extension to the rear (west) and side (south) elevations of existing semi-detached two storey dwelling together with minor modifications and extension to the front (east) elevation at ground floor level and associated site works.

Decision: **GRANT PERMISSION.**

S01B/0109: 6 Rushbrook Grove, Templeogue, Dublin 6w.

Attic conversion comprising dormer window to rear.

Decision: **REFUSE PERMISSION.**

Reasons for refusal:

1.The proposed development by virtue of its excessive scale would seriously disrupt the architectural symmetry of the roofspace and would be visually obtrusive. It would therefore seriously injure the amenity of property in the vicinity.

2.The proposed development would not be in accordance with the provision of the South Dublin County Development Plan 1998, in particular paragraphs 3.4.9.i and 3.4.9.ii (extensions to dwellings), and would not therefore be in accordance with the proper planning and development of this area.

S01B/0463: 6, Rushbrook Grove, Templeogue, Dublin 6W.

Attic conversion with dormer window to rear.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History

None on record.

Pre-Planning Consultation

None on record.

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

Section 2.4.1 Residential Extension

Policy H18 Residential Extension

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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

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

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 & Drainage,
- Screening for Appropriate Assessment (AA),
- Screening for Environmental Impact Assessment (EIAR).

Zoning and Council Policy

The development comprising a front extension is consistent in principle with zoning objective ‘RES’ – ‘To protect and/or improve residential amenity’, subject to the relevant provisions in the County Development Plan 2016-2022 and the House Extension Design Guide 2010.

Residential & Visual Amenity

Rear dormer (non-habitable) c.22.3sq.m.

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The dormer appears to come off the back wall of the house which is unacceptable. It should be inset from the eaves by 3 tile courses. This can be **conditioned**. It will be set below the ridge of the existing dwelling. It will project outwards from the roof by c.3m and will span a width of c.3.9m. It will be broadly centrally placed and will be inset from both sides by c.1m. There is a landing window proposed at attic level on the side gable. In the event of a grant a **condition** shall be attached that obscure glazing is used for this window. There will no undue overlooking or overbearing impact and the proposal would comply with the SDCC House Extension Design Guide 2010.

Single storey front porch extension (2.7sq.m)

The extension will project outwards from the main front building line by c.1.65m and will span a width of c.2.4m. It will have a pitched roof with an eaves height of c.2.7m and a ridge height of c.3.5m. To comply with the SDCC House Extension Design Guide the depth of projection of the extension shall be limited to 1.5m. It is considered this may be dealt with by way of **condition** in the event of a grant.

Services & Drainage

Both Irish Water and Service Water Drainage have recommended no objection subject to **conditions**. An extract taken from the Irish Water report states the following:

IW Recommendation:

No Objection

IW Observations:

1 Water

1.1 All development shall be carried out in compliance with Irish Water Standards codes and practices.

2 Foul

2.1 All development shall be carried out in compliance with Irish Water Standards codes and practices.

It is considered appropriate to attach the above **conditions** in the event of a grant.

An extract taken from the Surface Water Drainage report states the following:

Surface Water Report: No Objection Subject to:

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

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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.

It is considered appropriate to attach the above **conditions** in the event of a grant.

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 considered that the development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

Screening for Environmental Impact Assessment (EIAR)

Having regard to the modest nature of the 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 Consideration

Development Contributions

- Construction of single storey front porch extension measures c.2.7sq.m.
- Construction of non-habitable rear dormer measures c.22.3sq.m..
- Previous single storey rear extension measures c.12.39sq.m.
- 27.61sq.m. exemption exists.
- Assessable area is nil.

SEA Monitoring Information	Area
Building Use Type Proposed: Residential Extension	25sq.m.
Land Type: Urban Consolidation.	
Site Area:	0.038 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development proposed 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. It is considered that the proposed extension would be in compliance with Council policy in relation to extensions to dwelling houses.

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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.
 - a) 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.
 - b) The rear dormer shall be inset 3 tile courses from the eaves level and shall not be located on the back wall of the dwelling.
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) All development shall be carried out in compliance with Irish Water Standards codes

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and practices.

(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 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,

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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. Amendments - Glazing.

The attic level landing window on the north (side) elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.

REASON: In the interest of residential amenity.

4. Porch.

The depth of projection of the front porch shall be limited to 1.5m.

REASON: In the interest of proper planning and sustainable development and to comply with the SDCC House Extension Design Guide 2010.

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.

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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. SD22B/0007

LOCATION: 29, Rushbrook Grove, Dublin 6w

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: 10/03/2022

Colm Harte

Colm Harte,
Senior Executive Planner