

# Comhairle Chontae Atha Cliath Theas

**PR/0352/22**

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

**Reg. Reference:** SD21B/0614      **Application Date:** 09-Dec-2021  
**Submission Type:** Additional      **Registration Date:** 22-Feb-2022  
Information

**Correspondence Name and Address:** Jimmy Martin 15 Castletown Lawn, Celbridge, Co Kildare

**Proposed Development:** Construction of dormer extension to the rear; the rising of a section of the original roof by 600mm; 2 new windows to rear of existing roof; construction of a porch at the existing entrance to the house; installation of 10 Solar PV Panels (20sq.m) to the front of existing pitched roof.

**Location:** 33, Floraville Avenue, Dublin 22

**Applicant Name:** Maritta & James Mullins

**Application Type:** Permission

(CS)

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

Site Area: 0.00333 Hectares.

#### Site Description:

The existing house is a two storey, semi-detached residential property with a pitched roof profile and with a single storey side extension. The dwelling is located within the Floraville Avenue residential estate which is characterised mainly by other semi-detached houses of similar form and appearance.

### **Proposal:**

The proposed development is for the following:

- Raising of ridge height of existing dwelling by 600mm to allow for construction of second storey rear extension in existing attic space (non-habitable).
- Construction of new porch entrance to side.
- Installation of 10 solar PV panels (20sq.m) to front of existing pitched roof.
- Proposed works measure c.32.5sq.m as stated.

### **SEA Sensitivity:**

No overlap identified with relevant environmental layers.

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### **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**.

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

None.

### **Relevant Planning History**

None traced to subject site.

### **Relevant Enforcement History**

None traced.

### **Pre-Planning Consultation**

None traced.

### **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 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(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.

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The House Extension Design Guide, *Section 4*:

- *Outside space*
- *Do not overlook, overshadow or have an overbearing impact on neighbouring properties*
- *Rear extension*
- *Attic Conversions and Dormer Windows*
  - Avoid large and dominant roof extensions and dormer windows that are over-scaled in relation to the roof of the house,
  - Avoid extending the full width of the roof or right up to the gable ends – two small dormers on the same elevation can often be a suitable alternative to one large dormer,
  - Avoid dormer windows that are over dominant in appearance or give the appearance of a flat roof.

*Section 11.4.2 Car Parking Standards*

*Section 11.4.4 Car Parking Design and Layout*

*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*

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

### **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).

### **Assessment**

The main issues for assessment relate to the following:

- Zoning and Council Policy.
- Residential and Visual Amenity.
- Services and Drainage.
- Screening for Appropriate Assessment (AA).
- Screening for Environmental Impact Assessment (EIAR).

### ***Zoning and Council Policy***

The site is located in an area which is zoned RES 'To protect and/or improve residential amenity'. A residential extension is permitted in principle, subject to its design being in

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accordance with the relevant provisions in the Development Plan. Proposal consists of attic conversion with rear dormers.

### *Residential & Visual Amenity*

*Construction of second storey rear extension in existing attic space (non-habitable).*

The majority of dwellings in the vicinity have two storeys with a pitched roof profile. The applicant proposes to build up the existing ridge height by c. 600mm and project outwards towards the rear by c.3.0m and will be finished with a pitched roof over. The extension will only be inset very slightly from the side walls of the existing dwelling and will be built off the back wall of the house rather than inset 3 tile courses. This is essentially a second storey rear extension in an existing attic space (non-habitable).

There will be a separation distance of c.12.0m from the proposed extension to the house immediately to the rear. The extension would face on to the side of the dwelling located immediately to the rear of the existing dwelling (No. 31 Monastery Rise) where there would not appear to be any directly opposing above ground floor windows other than a landing window which appears to have obscure glazing. It is also noted that there are already windows in situ for the existing facing on to the side of the dwelling immediately to the rear. Therefore there would be no undue overlooking and this element of the proposal would comply with SDCC Development Plan 2016-2022, Section 11.3.1 Residential, (vi) Privacy.

The extension will be built on the rear wall of the existing dwelling and will not be set above the eaves of the existing dwelling. The extension will also be built above the ridge height of the existing dwelling. The Planning Authority has serious concerns regarding the overbearing scale and design of the proposed extension that would not be in keeping with the character of the existing dwelling or with the character of the area. The applicant is therefore requested to submit a revised proposal to address these concerns, which may include a revised proposal for a rear dormer whereby it is set appropriately below the ridge by a minimum of 100mm and above the eaves of the existing dwelling by at least three tile courses to comply with the SDCC House Extension Design Guide 2010 Section 4. It is considered this may be dealt with by way of a request for **Additional Information**.

### *New porch entrance to side (c.2.5sq.m.)*

The extension will be located to the side of the existing dwelling and will have a length of c.2.415m and a width of c.1.7m. It will be offset by c.0.9m from the western site boundary with the immediate neighbour (No. 31 Floraville Avenue). It will have a hipped roof and a ridge height of c.3.4m. This element of the proposal would comply with the SDCC House Extension Design Guide 2010.

### *10 (each panel is 1m x 2m) solar PV panels to front of existing pitched roof (c.20sq.m.)*

Solar panels on roofs in residential areas are increasingly part of the visual landscape.

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The proposal consists of an area of c.20sq.m. of solar panels on the front roof element of the existing dwelling. The proposal will not significantly alter the dwelling as it currently exists and therefore, no significant visual impact is anticipated. Given the scale of the proposed development, visual and residential amenity would not be adversely impacted. As outlined in Section 11.7.5 of the Development Plan, proposals for solar energy development must prioritise south facing aspects and have an inclination of between approximately 35 and 50 degrees. It is noted that the applicant has prioritised the south facing aspect which complies with this policy. It is noted that the applicant has not stated if the capacity of the solar panels is over 0.5MW. This information is required for assessment of development contributions. It is considered this may be dealt with by way of a request for **Additional Information**.

### ***Services & Drainage***

Both Irish Water and Surface Water Drainage have issued reports stating no objections subject to **conditions**.

An extract taken from the Irish Water report states the following:

#### *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:*

*1.1 Include Water butts as part of Sustainable Drainage Systems (SuDS) features 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.*

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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 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**

- The development is for a non-habitable rear attic conversion measuring c.30sq.m.
- Construction of new porch entrance to side c.2.5sq.m.
- Existing single storey rear extension measures c.12sq.m.
- 28sq.m. exemption remains.
- Development contributions are not applicable.
- Assessable area is nil.

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential – non-habitable rear attic conversion & extension	32.5sq.m.
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.00333

### **Conclusion**

It has not been satisfactorily demonstrated that the proposed development would fully integrate with the pattern of development in the area. It is considered that the proposed design changes to the roof would be out of character with both the existing dwelling and those within the environs and would not comply with the design guidelines for extensions as set out in the 'House Extension Design Guide' and in the current South Dublin County Council Development Plan 2016-2022. The applicant should therefore be requested to revise the proposed scheme through a request for **additional information**.

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### **Recommendation**

Request Further Information.

### **Further Information**

- Further Information was requested on 11/02/2022.
- Further Information was received on 22/02/2022.

No submissions/observations on the further information have been made.

The following Further Information was requested.

### **Item 1: Rear Dormer Recommended.**

The extension will be built on the rear wall of the existing dwelling and will not be set above the eaves of the existing dwelling. The extension will also be built above the ridge height of the existing dwelling. The Planning Authority has serious concerns regarding the overbearing scale and design of the proposed extension that would not be in keeping with the character of the existing dwelling or with the character of the area. The applicant is therefore requested to submit a revised proposal to address these concerns, which may include a revised proposal for a rear dormer whereby it is set appropriately below the ridge by a minimum of 100mm and above the eaves of the existing dwelling by at least three tile courses to comply with the SDCC House Extension Design Guide 2010 Section 4.

The applicant is also requested to indicate on a section drawing the floor to ceiling height of the proposed dormer in the converted attic.

### **Item 2: Capacity of solar panels**

It is noted that the applicant has not stated if the capacity of the solar panels is over 0.5MW. This information is required for assessment of development contributions.

### **Further Consultations**

None received.

### **Further Submissions/Observations**

None received.

### **Assessment**

#### **Item 1: Rear Dormer Recommended**

The applicant has submitted revised drawings in an attempt to address the request for additional information. The revised drawings submitted shows the rear dormer will be set below the ridge of the existing dwelling by c.100mm and it will be set above the eaves by approximately three tile courses. The revised section drawing submitted shows an internal floor to ceiling height of c.2.1m (non-habitable). The rear dormer will span a width of c.5m and will project outwards

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from the roof by c.3m. The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

### Item 2: Capacity of solar panels

The applicant has submitted a revised drawing titled 'solar panels'. There is a note on the drawing that states the maximum capacity of the 10 solar panels will be 3.9kw which is not over 0.5MW and therefore development contributions for solar panels will not be applicable in this instance. The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

### *Other considerations*

#### **Development Contributions**

- The development is for a non-habitable rear attic conversion measuring c.30sq.m.
- Construction of new porch entrance to side c.2.5sq.m..
- Existing single storey rear extension measures c.12sq.m.
- 28sq.m. exemption remains.
- Development contributions are not applicable.
- Assessable area is nil.

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential – non-habitable rear attic conversion & extension	32.5sq.m.
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.00333

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

### **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.



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### **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, and as amended by Further Information received on 22/02/2022, 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) All development shall be carried out in compliance with Irish Water Standards codes and practices.
  - (ii) Include Water butts as part of Sustainable Drainage Systems (SuDS) features for the proposed development.
  - (iii) All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal.
  - (iv) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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

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

(vii) 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.

(viii) 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).

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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/0614  
LOCATION: 33, Floraville Avenue, Dublin 22**

  
\_\_\_\_\_  
**Colm Maguire,  
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:** 21/5/22

  
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**Eoin Burke, Senior Planner**