

Comhairle Chontae Atha Cliath Theas

PR/0346/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0023 **Application Date:** 24-Jan-2022
Submission Type: New Application **Registration Date:** 24-Jan-2022
Correspondence Name and Address: Stephen Neville Park House, Ballisk Court,
Donabate, Co. Dublin
Proposed Development: Attic conversion to a non-habitable storage space
with hip roof to gable to allow stairs access to attic
with roof windows to front of existing house and
frosted window to side gable all with ancillary works.
Location: 15, Cluain Ri, Ballyowen Road, Lucan, Co. Dublin
Applicant Name: Joe Kehoe
Application Type: Permission

(NM)

Description of Site and Surroundings:

Site visit: 2/3/2022

Site Area

0.0241 Hectares.

Site Description

The property is a semi-detached, 2 storey dwelling with a hip pitched roof located in the east end of the Cluain Ri estate, an established residential estate off Ballyowen Lane in Lucan, Dublin 16. The area is predominantly residential in nature with a communal green to the north and the surrounding dwellings in the vicinity have a mainly uniform building line.

Proposal:

- Attic conversion to a non-habitable storage space with hip roof to gable to allow stairs access to attic
- Roof windows to front of existing house
- Frosted window to side gable all with ancillary works.
- Proposed works measure 16sq.m

Zoning:

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

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Consultations:

Drainage Maintenance

No objection subject to standard conditions

Surface Water Drainage

No objection subject to standard conditions

SEA Sensitivity Screening

No overlap with relevant layers

Submissions/Observations /Representations

None.

Relevant Planning History

Subject Site

None.

Adjacent sites

SD17B/0158 – **PERMISSION GRANTED** for works at 3, Colthurst Gardens, Lucan, Co. Dublin- Conversion of existing attic to non-habitable storage use; 2 dormer windows to the rear; 3 'Velux' windows to the front roof and all associated site works

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

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

Section 2.4.1 Residential Extensions

Policy H17 – Residential Consolidation:

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H17 Objective 1:

To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

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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).

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

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.*

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 concern the following:

- Zoning and Council policy
- Residential and Visual Amenity
- Service Water and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR).

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Zoning and Council Policy

The site is located in an area which is subject to zoning objective 'RES' – '*To protect and/or improve Residential Amenity*'. A development of a non-habitable attic conversion is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.3 which relates to Extensions to Dwellings.

Residential and Visual Amenity

Attic conversion to a non-habitable storage space with hip roof to gable to allow stairs access to attic

Residential Amenity

The proposal is for the conversion of the attic space to non-habitable storage space and the change of the roof type from a hip pitched to an open gable pitched roof at the gable wall to the east to allow for stairs to the proposed attic floor. It will provide 16sq.m of storage space.

Visual Amenity

It should be noted that the applicant has proposed that the roof becomes a hip pitch where it is currently already a hip pitched roof and the drawings submitted show an open gable end pitched roof proposed. It is proposed the gable end would have a total ridge height of 7.45m spanning the entire width of the property. The change in roof type would not decrease the adjoining or attached properties enjoyment of their property in terms of loss of light/overshadowing nor would it be overbearing. The distances between the adjoining property to the east will also remain unchanged.

The gable wall would be rendered to match the existing gable wall and the fascia and downpipes would also match the existing. The change of roof type in the proposal would be out of character with the other dwellings in the Cluain Ri estate and would injure the visual amenity of the surrounding area. Although it is noted in the South Dublin County Council House Extension Guide (2010) that such changes to roof structure will 'rarely be acceptable', a half hip roof would allow for the intended use and maintain the visual amenity of the area. The angle of the hipped element of the half hip should conform to the existing and prevailing angle of incline of hipped roofs in the area, and this can be ensured by **condition**.

The roof lights to the front of the property are considered appropriate as is the gable end obscured window.

Service Water and Drainage

Irish Water

No report received.

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Drainage Maintenance

No objection subject to standard conditions.

Surface Water Drainage

No objection subject to standard conditions.

Foul Water Drainage

Not applicable.

Conclusion

No report issued has raised concerns of the proposed development.

Screening for Appropriate Assessment (AA)

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 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.

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.

Development Contributions

Development Contributions Assessment Overall Quantum

Proposed Non-Habitable Attic Conversion: 16sq.m

Assessable Area: NIL

SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 16sq.m

Land Type: Urban Consolidation.

Site Area: 0.0241 Hectares

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development the proposed would be in accordance with the proper planning and sustainable development of the area subject to conditions.

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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 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 xxx, Clarification of Further Information received on xxx and Unsolicited Further Information received on xxx, 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. Modifications.
The roof type proposed shall be changed from an Apex open gable end pitched roof to a half hip roof. The angle of the hipped element of the half hip should conform to the angle of the existing roof. Prior to commencement, the applicant shall obtain the written agreement of the Planning Authority to revised drawings including floor plans, elevations and sections.
REASON: In the interest of visual amenity.
3. (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.

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(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.

(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

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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 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.


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REG. REF. SD22B/0023

LOCATION: 15, Cluain Ri, Ballyowen Road, Lucan, Co. Dublin



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: 21/3/22



Eoin Burke, Senior Planner