

# Comhairle Chontae Atha Cliath Theas

**PR/0405/22**

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

**Reg. Reference:** SD22B/0041      **Application Date:** 02-Feb-2022  
**Submission Type:** New Application      **Registration Date:** 02-Feb-2022  
**Correspondence Name and Address:** Thomas Duffy 5A, Collins Park, Donnycarney, Dublin 9  
**Proposed Development:** Retention of single storey extension and garden shed to rear, attic conversion with window on gable wall, velux windows to front and rear, porch to front and all associated site works.  
**Location:** 7 St. Peters Road, Walkinstown, Dublin 12  
**Applicant Name:** Valentin Lasilcovschi  
**Application Type:** Retention

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

#### Site Area:

Stated as 0.0285 Hectares.

#### Site Description:

The subject site is located on the eastern edge of Peter's Road, approximately 85m to the southwest of the Walkinstown Road. The site is bound to the north and south by residential dwellings at Nos. 5 and 9 St. Peter's Road, to the east by St. Peter's Road and to the west by a laneway providing rear access to the terraced dwellings along St. Peter's Road and Cherryfield Road.

The subject site is comprised of an existing two-storey terraced 3 bedroom dwelling with a converted attic space and a single storey rear extension. The ground floor level is comprised of a porch and entrance hall, a living room, bathroom and open plan kitchen/living and dining room. The first floor 3 No. bedrooms and a family bathroom. The converted attic space measures approximately 24sq.m, however it is unclear from the drawings provided whether or not the space is habitable or utilised for storage purposes. The site also includes a shed (37.5sq.m) which has direct access onto the laneway to the rear of the property.

The surrounding streetscape is generally characterised by dwellings of a similar scale and architectural design.

#### Site Visit

24<sup>th</sup> March 2022.

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### **Subject Development:**

Retention permission is sought for the following:

- A front porch which projects approximately 1.9m out from the front elevation of the dwelling and spans an approximate width of 2.5m. The roof profile of the porch is hipped, with an approximate height of 2.6m (parapet) rising to a ridge level of 3.86m.
- A single storey rear extension which projects approximately 5.3m out from the rear elevation of the dwelling, spans an approximate width of 6.4m. The rear extension has a sloped roof profile with 2 No. rooflights, an approximate parapet height of 2.54m rising to a maximum height of 4.01m at the top of the sloped roof.
- An attic conversion providing a 24sq.m room with 2 rooflights, one on each pitch of the existing dwelling's roof profile.
- A shed in the rear garden with an approximate floor area of 37.5sq.m, an approximate width of 6.5m, an approximate length of 7.3m. The shed has a pitched roof profile, with a parapet height of approximately 2.58m and a ridge height of approximately 4.45m, with 2 rooflights, one on each pitch of the roof. There are 2 windows and a centrally located access door in the western elevation and a roller shutter access door providing access onto the rear laneway.

### **Zoning:**

The site is located in an area which is zoned 'RES' 'to protect and/or improve residential amenity' in the South Dublin County Development Plan 2016-2022.

### **Consultations:**

Drainage and Water Services Department: Additional Information required.

Irish Water: Additional Information required.

Roads Department: No objection.

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

No Submissions/Observations were received regarding this application.

### **Relevant Planning History**

#### **Subject site**

No relevant Planning history concerning this planning application.

### **Surrounding Context**

**SD20B/0053** – No. 15 St. Peter's Road, Walkinstown, Dublin 12.

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Retention for a driveway entrance & pillars plus pedestrian gate; pavement dish with associated site works. **Decision:** Grant Permission, subject to conditions.

**SD16B/0144** – No. 1 St. Peter's Road, Walkinstown, Dublin 12.

Permission was sought for a new two storey extension to side, 1 No. new porch, attic conversion with dormer roof and 1 No. rooflight to rear, 2 No. rooflights to front and associated works.

**Decision:** Grant Permission, subject to conditions.

**SD15B/0084** – No. 7 Cherryfield Road, Dublin 12.

Demolish the existing single storey extension and garage to the rear of the existing terraced dwelling and construct a new single storey extension and new garage to the rear, conversion of the existing attic area with a new dormer window in the existing rear tiled roof, internal alterations and associated site works. **Decision:** Grant Permission, subject to conditions.

### **Relevant Enforcement History**

None recorded for the subject site.

### **Pre-Planning Consultation**

None recorded for the subject scheme.

### **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 Additional Accommodation*

*Section 11.3.3 (i) Extensions*

*Section 11.4.2 Car Parking Standards*

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*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*

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

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

#### **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'.*

#### **Front extensions:**

- *Keep the extension simple and complementary to the style of the house by reflecting the style and details of the main house, e.g. window location, shape, type, proportion and sill details.*
- *Avoid building an extension more than 1.5m in front of the existing front wall of the house if there is a regular building line along the street.*

#### **Rear extensions:**

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Match the shape and slope of the roof of the existing house, although flat-roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*
- *Do not create a higher ridge level than the roof of the main house.*

#### **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;*

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- *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.*

### Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

### **Relevant Government Guidelines:**

**Project Ireland 2040 National Planning Framework**, Government of Ireland (2018).

**Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities**, Department of the Environment, Heritage and Local Government, (2009).

**OPR Practice Note PN01 Appropriate Assessment Screening for Development Management** (March 2021)

### **Assessment**

The main issues for the assessment are:

- Zoning and Council Policy
- Visual and Residential Amenity
- Roads
- Drainage and Water Services
- Screening for Appropriate Assessment
- Environmental Impact Assessment

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

The subject 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.

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### ***Visual and Residential Amenity***

Each element of the subject development shall be assessed individually below, in the context of the potential impact on the residential and visual amenity of adjacent properties and the wider streetscape. The development shall also be assessed against the relevant policy, including but not limited to the South Dublin County Development Plan 2016-2022 and the South Dublin County Council House Extension Design Guide (2010).

### **Front Porch**

A porch has been attached to the front elevation, which projects approximately 1.9m out from the front elevation of the dwelling and spans an approximate width of 2.5m. The roof profile of the porch is hipped, with an approximate height of 2.6m (parapet) rising to a ridge level of 3.86m. The porch includes a centrally located door in the front elevation and 1 window in each of the side elevations (2 in total).

The structure is located approximately 1m from the party boundary with No. 9 St Peter's Road to the northeast. The porch projects beyond the building line of No. 9 next door and

It is noted that there are a number of similar porch structures along St Peter's Road, as such it is considered that the development as carried out, does not significantly alter the streetscape or impact the visual amenity of the area. It is also noted that a driveway with a length of approximately 9m is retained, despite the addition of the porch. It is considered the porch structure does not have an adverse impact on the visual amenity of the subject site and adjoining properties.

### **Single Storey Rear Extension**

A single storey extension to the rear has been constructed which projects approximately 5.3m out from the rear elevation of the dwelling, spans an approximate width of 6.4m. The rear extension has a sloped roof profile with 2 rooflights, an approximate parapet height of 2.54m rising to a maximum height of 4.01m at the top of the sloped roof.

In relation to the potential for extensions to be overbearing, the South Dublin House Extension Design Guide (2010) states that:

*'Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved'*.

It is noted that the extension is located approximately 1.1m from the boundary with No. 9 St Peter's Road and directly adjoins the party boundary with No. 5 St Peter's Road. Although not ideal that the extension directly adjoins a party boundary, having regard to the content of the

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House Extension Design Guide (2010) and the 2.5m parapet height of the extension, it is considered that it is not contrary to the Council's policies and objectives.

Having regard to the north/north-easterly facing aspect of the rear gardens along St. Peter's Road, the Planning Authority is satisfied that the rear extension will not have an adverse impact on the visual or residential amenity of adjoining properties in terms of overlooking and overshadowing.

### Attic Conversion

The attic of the existing dwelling has been converted to provide a 24sq.m room with 2 rooflights (one in each pitch of the existing roof) and 1 window in the side elevation facing towards No. 9 St. Peter's Road.

Having regard to the nature and scale of the attic conversion, it is considered that there is no significant adverse impact on the visual amenity of the streetscape or the residential amenity of adjoining properties. It is considered that the conversion generally accords with the provisions of the South Dublin House Extension Design Guide (2010) and is acceptable in principle, however the intended use of the attic conversion is not clearly stated i.e. is it intended to be used as a habitable space or a storage room. Should the Applicant intend to utilise the space as a habitable room, a CONDITION should be attached requiring the Applicant to provide detailed floor plans which demonstrate the layout of the attic room.

### Shed

A shed with an approximate floor area of 37.5sq.m has been constructed in the rear garden of the existing dwelling, an approximate width of 6.5m and an approximate length of 7.3m. The shed has a pitched roof profile, with a parapet height of approximately 2.58m and a ridge height of approximately 4.45m, with 2 rooflights, one on each pitch of the roof. There are 2 windows and a centrally located access door in the western elevation and a roller shutter access door providing access onto the rear laneway.

A concern arises that the shed could be operated as a separate dwelling to the main dwelling on the subject site. In this regard, a CONDITION should be attached ensuring that the shed cannot be utilised as a dwelling without the benefit of appropriate permission being obtained in a separate Planning Application.

### ***Roads***

A report received from the Roads Department indicates that they have no objections to the retention of the development.

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### ***Drainage and Water Services***

The Drainage and Water Services Department and Irish Water have reviewed the subject development and note that the following information has not been included with the Planning Application:

- The Applicant has not submitted surface water drainage plans for the development. The applicant is required to submit a drawing showing surface water drainage layouts, as carried out, up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: [servicemaps@sdublincoco.ie](mailto:servicemaps@sdublincoco.ie)
- The Applicant has not submitted water supply drawings for the development. The Applicant is required to submit a drawing in plan outlining the water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: [servicemaps@sdublincoco.ie](mailto:servicemaps@sdublincoco.ie)

The Planning Authority considers that the above outlined information could be obtained by way of CONDITION requiring a compliance submission prior to the commencement of development.

### ***Screening for Appropriate Assessment***

The subject site is not located within nor within close proximity to a European site. The development is located within an established residential area and comprises of a house extension.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### ***Environmental Impact Assessment***

Having regard to the nature and scale of the development and pursuant to Schedule 5 of the Planning and Development Regulations 2001 (as amended), the is not a class of development for which a mandatory Environmental Impact Assessment Report is required. Additionally, having



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regard to the distance of the site from nearby sensitive receptors, the need for environmental impact assessment can therefore be excluded at preliminary examination and a screening determination is not required.

### **Other Considerations**

<b>Development Contributions</b>	
<b>Building Use Type</b>	<b>Floor Area (sq.m)</b>
Residential (Retention Permission for habitable extension)	32sq.m
Previous Extension	0sq.m
Assessable Area	32sq.m

<b>SEA Monitoring Information</b>	
<b>Building Use Type</b>	<b>Floor Area (sq.m)</b>
Residential (Retention Permission for Extension and Shed)	89.5sq.m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.0285 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 South Dublin House Extension Design Guide 2010 it is considered that, subject to conditions, the development, as carried out, does not adversely impact on the visual and residential amenity of the streetscape and surrounding properties.

### **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 Retention 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.

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### SECOND SCHEDULE

#### Conditions and Reasons

1. Development to be in accordance with submitted plans and details.  
The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, within 6 months of the grant of permission, save as may be required by other conditions attached hereto.  
REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Drainage and Water Services  
Within 6 months of the Final Grant of Permission, the applicant shall submit the following for the written agreement of the Planning Authority:
  - (i) a drawing showing as carried out surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The foul and surface water systems must discharge to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: [servicemaps@sdblincoco.ie](mailto:servicemaps@sdblincoco.ie)
  - (ii) a drawing in plan outlining the water supply layout for the development. Maps of the public water mains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: [datarequests@water.ie](mailto:datarequests@water.ie). or [servicemaps@sdblincoco.ie](mailto:servicemaps@sdblincoco.ie)
3. Restrict to use by resident of house.  
The ancillary shed in the rear garden shall be operated and used only by the relevant professional person in residence in the dwelling of which it forms part and shall not be utilised as a residential dwelling and it shall not be separated from the existing dwelling either by way of sale or letting (including short-term letting) or otherwise.  
REASON: In the interest of the proper planning and sustainable development of the area.
4. Attic Space Use.  
The attic space shall be used as storage non-habitable space only. Should the Applicant wish to utilise the space as a habitable room a separate Planning Application shall be required, which will be subject to a complete assessment.  
REASON: To ensure the development as approved is consistent with the restrictions of the Building Regulations in the interests of public safety and the proper planning and sustainable development of the area.
5. (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, proposed extension and ancillary shed 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 and ancillary shed 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's Standards, Codes and Practices.

(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.

### 6. Financial Contributions.

The developer shall pay to the Planning Authority a financial contribution of €3,343.68 (three thousand three hundred and forty three euros and sixty eight cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Act 2000 (as amended). This contribution is to be paid on receipt of Final Grant of Permission.

**REASON:** The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

**NOTE RE: CONDITION**

Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing [customerservice@water.ie](mailto:customerservice@water.ie)

**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.

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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.

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/0041**

**LOCATION: 7 St. Peters Road, Walkinstown, Dublin 12**

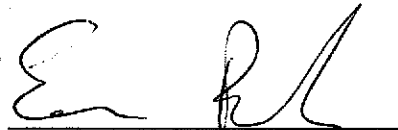
*Colm Harte*

**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 Retention 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:**

29/3/22



**Eoin Burke, Senior Planner**