

# Comhairle Chontae Atha Cliath Theas

**PR/0484/22**

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

**Reg. Reference:** SD22B/0068      **Application Date:** 16-Feb-2022  
**Submission Type:** New Application      **Registration Date:** 16-Feb-2022  
**Correspondence Name and Address:** Carol Forbes 38, Larkfield Avenue, Lucan, Co. Dublin  
**Proposed Development:** Conversion of existing attic space comprising of modification of existing roof structure, raising of existing gable c/w window and dutch hip, new access stairs and flat roof dormer to the rear.  
**Location:** 12, Berryfield, Finnstown Priory, Lucan, Co. Dublin  
**Applicant Name:** Cian Fleming  
**Application Type:** Permission

(EW)

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

Site Area: 0.019503

### **Site Description:**

The subject site is located within the established residential estate of Finnstown Cloisters, Lucan and contains existing semi-detached houses with hipped roof profiles. The streetscape is characterised by dwellings of similar form and nature. Modifications to hip roof structures are evident in the surrounding area.

### **Proposal:**

- Conversion of existing attic space comprising of modification of existing roof structure,
- raising of existing gable c/w window and dutch hip, new access stairs and flat roof dormer to the rear.

### **Zoning:**

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

### **Consultations:**

Surface Water Drainage – No objections, standard conditions apply.  
Irish Water- No report, no water connections apply.  
Roads- No objections, no recommendations.

# Comhairle Chontae Atha Cliath Theas

**PR/0484/22**

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

*SEA Sensitivity Screening* – No overlap indicated.

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

None recorded for subject site.

### **Relevant Planning History**

None for subject site.

### **Adjacent sites**

SD21B/0024 - 20, Finnsview, Finnstown Cloisters, Lucan, Co. Dublin SDCC **Granted Permission** for Conversion of existing attic space comprising of modifications of existing roof structure, raising of existing gable c/w window, 'Dutch' hip and new access stairs.

SD20B/0522 -10, Finnsview, Finnstown Cloisters, Lucan, Co. Dublin. SDCC **Granted Permission** for the conversion of existing attic space comprising of modification of existing roof structure; raise existing gable c/w 'Dutch' hip and window; new access stairs and flat roof dormer to the rear.

SD16B/0420 - 5, Finnswalk, Finnstown Priory, Lucan, Co. Dublin– SDCC **Granted Permission** for the conversion of attic as storage, half hip roof to replace hip to side which includes sky-light for light and all associated ancillary site works.

### **Relevant Enforcement History**

None recorded for subject site.

### **Pre-Planning Consultation**

None recorded for subject site.

### **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

# Comhairle Chontae Atha Cliath Theas

**PR/0484/22**

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

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*

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

*Overlooking and loss of privacy:*

- Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.

### **Relevant Government Guidelines**

***Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities***, Department of the Environment, Heritage and Local Government (2009).

***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, (2009).

***Quality Housing for Sustainable Communities: Best Practice Guidelines***, Department of the Environment, Heritage and Local Government, (2007).

# Comhairle Chontae Atha Cliath Theas

PR/0484/22

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

### Assessment

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity
- Services and drainage.

### *Zoning and Council Policy*

The extension to a dwelling is consistent in principle with zoning objective 'RES' and would generally be in compliance with Council policy in relation to extensions to dwelling houses, as set out in South Dublin County Council House Extension Design Guide (2010), and in the Development Plan.

### *Residential & Visual Amenity*

Having regard to the proposed modification of existing roof structure, it is considered in this instance that the proposed A type roof would not be visually prominent on this mid road location in that it is not facing a green, or facing a main road or it is not an end house. Furthermore, there is concurrent development for similar proposals on nearby dwellings, notably No. 20 Finnsview, No. 10 Finnsview and No. 5 Finnswalk, and as such, no visual imbalance would result from the proposal.

In addition, this development would enable the conversion of the attic providing an acceptable balance between the adaptable re-design of a house, sustainable development and providing accommodation that meets the needs of families, so that the life cycle and use of that building can continue.

Note: It noted that an overhang of 0.4m is demonstrated on Drawing Ref: BF-8 and this would be unacceptable to the visual amenity of the area. The applicant shall ensure that the projected half hipped roof does not protrude beyond the eaves of the gable wall from the existing dwelling, and this can be addressed by **condition**.

The 2 proposed attic window in the side gable would not adversely impact on the residential amenity of adjacent dwellings by way of overlooking; it is noted that the proposed side window would be frosted glass by **condition**.

The proposed development provides for the conversion of the existing attic into an attic room with new access stairs. The conversion is proposed as a non-habitable space; a **note** should be attached stating that in order to use the attic for habitable space it must comply with the Building Regulations. The proposal is consistent with the guidance set out in the 'House Extension Design Guide 2010' and a grant of permission is recommended.

# Comhairle Chontae Atha Cliath Theas

**PR/0484/22**

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

### ***Rear Dormer***

To the rear of the dwelling, a flat roofed dormer structure is proposed under the ridgeline level and is above three tile courses of the main dwelling. The dormer structures contain two subdivided proportionate windowpanes. The window broadly matches the existing rear windows. The dormer window would not adversely impact on the residential amenity of adjacent dwellings by way of overlooking. The proposal is broadly consistent with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and the scale of the development is not deemed to have an overbearing impact on its neighbouring properties, therefore a grant of permission is recommended.

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

The drainage report's state no objection to the proposed development subject to conditions being attached for the development in the event of a grant of permission.

No report was issued from Irish Water, no new connection is proposed.

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

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 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***

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**

Attic Conversion /Dormer window: 25.66sq.m (non-habitable)  
Assessable Area: NIL

#### **SEA Monitoring Information**

Building Use Type Proposed: Residential- Extension  
Floor Area: 25.66sq.m  
Land Type: Brownfield/Urban Consolidation.  
Site Area: 0.019503

# **Comhairle Chontae Atha Cliath Theas**

**PR/0484/22**

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

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan, existing permissions for similar type development, the location of the site away from a prominent and highly visible site, 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, in this instance, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposed extension in this instance, would be generally in compliance with Council policy in relation to extensions to dwelling houses.

### **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.  
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.  
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Glazing.  
The following amendment to the design shall be carried out:  
The attic window on the gable elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.  
REASON: In the interest of residential amenity.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0484/22**

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

3. **Roof Profile.**

Within two months of the final grant of permission, revised elevational and cross-sectional drawings shall be submitted to the Planning Authority, which illustrate that the half hipped roof hereby permitted does not protrude beyond the side gable wall of the existing dwelling.

REASON: In the interests of clarity and to comply with planning policy and sustainable development, and visual amenity.

4. (a) **Development in accordance with submitted plans and details.**

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.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

(b) **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.

(c) **Drainage - Surface Water.**

(i) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

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

(iii) All works shall comply 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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0484/22**

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

(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).

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.



# **Comhairle Chontae Atha Cliath Theas**

**PR/0484/22**

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

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.

**Comhairle Chontae Atha Cliath Theas**

**PR/0484/22**

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

**REG. REF. SD22B/0068**

**LOCATION: 12, Berryfield, Finnstown Priory, Lucan, Co. Dublin**

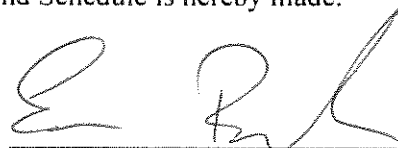
*Colm Harte*

**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:**

12/4/22



**Eoin Burke, Senior Planner**