

Comhairle Chontae Atha Cliath Theas

PR/0507/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0085 **Application Date:** 24-Feb-2022
Submission Type: New Application **Registration Date:** 24-Feb-2022
Correspondence Name and Address: H2b Architects 20, Moyview, Kildalkey, Co. Meath
Proposed Development: Attic conversion with projecting dormer window to rear of house, new bedroom and storage facility and all associated works.
Location: 88, Cherrywood Grove, Dublin 22
Applicant Name: Rory McGrath
Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Area: 0.0207

Site Description:

The site is located within the established Cherrywood residential estate and contains a single-storey semi-detached dwelling with gable end, pitched roof profile. The carriageway of Cherrywood Grove is to the south and east of the site. Corkagh Park and the Camac River are located to the south of the site, across the street. The front building line of the dwellings to the north, generally matches the eastern side building line of the dwelling on the site. The streetscape of Cherrywood Grove is characterised by semi-detached houses of similar form and appearance.

Proposal:

Attic conversion with projecting dormer window to rear of house, new bedroom and storage facility and all associated works.

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 received; standard conditions apply.

SEA Sensitivity Screening – No overlap indicated.

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Submissions/Observations /Representations

None recorded for subject site.

Relevant Planning History

None for subject site.

Adjacent sites

SD20B/0202 - 126, Cherrywood Grove, Dublin 22. **Granted Permission** for Conversion of existing attic space comprising of modification of existing roof structure; new access stairs from first floor and flat roof dormer to the rear.

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 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

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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.

Attic conversions and dormer windows:

- Locate dormer windows as far back as possible from the eaves line (at least three tile courses).
- 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.
- Relate dormer windows to the windows and doors below in alignment, proportion, and character.

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).

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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 the 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

The proposed flat-roofed rear dormer window is not situated below the ridgeline line of the existing roof. However, it is considered that the standalone dormer proposal would be visually acceptable subject to being lowered appropriately by **condition**. The dormer structure is located three tile courses from the eaves line and is cohesive in style and form to the main dwelling. The revised proposal would be consistent with the recommendations of the Council's House Extension Design Guide in relation to the design of dormer extensions and with the zoning objective which seeks to 'To protect and/or improve Residential Amenity' under the South Dublin County Council Development Plan 2016-2022.

In terms of overlooking, the proposed development would result in the provision of two rear (north) facing windows that would serve the proposed attic bedroom and one side (east) facing window that would serve a proposed study/store. It is not considered that the proposed windows would result in a significant increase in overlooking the adjoining properties.

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 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.

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Services & Drainage

Regarding surface water drainage and flood risk, standard **conditions** shall apply as well as including Water butts as part of SuDS (Sustainable Drainage Systems) features for the proposed development

Regarding Irish water, no report was received however it is noted that a new wc is proposed at the attic level and standard **conditions** will apply.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of an attic conversion, dormer window and change of roof profile.

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 proposed 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 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.

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Development Contributions

Development Contributions Assessment Overall Quantum

Attic Conversion/Dormer windows: 47sq.m (habitable)

Assessable Area: 7sq.m

SEA Monitoring Information

Building Use Type Proposed: Residential- Extension

Floor Area: 47sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0207

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.

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.

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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. (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) The rear dormer structure shall be reduced below the ridgeline of the existing dwelling house.
(i) Prior to commencement of development, revised rear elevational and cross-sectional drawings shall be submitted to the Planning Authority.
REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

(c) 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.

(d) 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.
(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.

(e) Minimise Air Blown Dust.

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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.

(f) 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

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3. Drainage - Surface Water.

(a) Include Water butts as part of SuDS (Sustainable Drainage Systems) features for the proposed development.

(b) All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal.

(c) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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

REASON: In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

4. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €731.43 (seven hundred and thirty one euros and forty three 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 Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

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.

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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: 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: 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/0085

LOCATION: 88, Cherrywood Grove, Dublin 22

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: 20/4/22


Eoin Burke, Senior Planner