

Comhairle Chontae Atha Cliath Theas

PR/0684/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0064 **Application Date:** 15-Feb-2022
Submission Type: Additional **Registration Date:** 03-May-2022
Information

Correspondence Name and Address: Kieran Tiernan 19, Aranleigh Gardens, Rathfarnham, Dublin 14

Proposed Development: Attic conversion for storage, two raised gables, and two dormer windows to the rear change of roof profile from hipped gabled; 3 'Velux' roof windows to the front. Retention permission for extended front porch, change of window sizes to the existing side extension.

Location: 22, Landsdowne Park, Knocklyon Dublin 16
D16TP30

Applicant Name: Gavin Kenny

Application Type: Permission and Retention

(EW)

Description of Site and Surroundings:

Site Area: 0.033

Site Description:

The subject dwelling is located at the end of a cul de sac, is a two storey, detached dwelling with a hipped roof with existing single storey side extension. The street is characterised by other similar residential dwellings with a mainly uniform building line. Hipped roofs dominate the surrounding area whilst dormer windows are not in abundance in the immediate area.

Proposal:

- Permission: Attic conversion for storage, two raised gables, and two dormer windows to the rear change of roof profile from hipped gabled; 3 'Velux' roof windows to the front.
- Retention permission for extended front porch, change of window sizes to the existing side extension.

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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 - standard conditions apply.
Irish Water -	No objections - standard conditions apply.
Roads –	No objections.
TII-	No objections.

SEA Sensitivity Screening – No overlap indicated.

Submissions/Observations /Representations

None for subject site.

Relevant Planning History

None for subsection site.

Adjacent sites

None relevant to subject proposal.

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).

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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).

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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 change in roof profile and an attic conversion 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

Front Canopy

Having regard to the Retention permission for extended front porch. It is noted from the drawings submitted that the contemporary alterations to the front façade integrates with the existing dwelling. The proposal does not project beyond the 1.5m meter recommendation and is consistent with the guidance set out in Section 4 'Front Extensions' of the South Dublin County Council House Extension Design Guide (2010).

Window Alterations

Having regard to the Retention permission for the change of window sizes to the existing side extension, in the absence of any Planning History for the development of the side garage to a habitable side extension, the applicant shall be requested to clarify the planning status of the existing extension to the side of the dwelling by **Additional Information**.

Change in roof profile

Having regard to the proposed modification of the existing roof structure, it is noted that a visual imbalance would result from this proposal. Under the House Extension Design Guide:

“Extending a hipped roof to the side to create a gabled end or half-hip will rarely be acceptable, particularly if the hipped roof is visually prominent and typical of other houses along the street”.

The subject site is on an established road where uniformed hipped roofs are characteristic of the area and therefore any changes to the roof profile would be visually prominent. The uniformity of the surrounding streetscape is noted and a change of roof profile from hipped to gable ended would be highly evident at this location.

It is therefore considered that the proposed two gable ended profile would not be in keeping with the character of the surrounding area and would not accord visually in this location and would be contrary to County Development Plan policy and objectives. Therefore, it is considered that the

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roof profile should be redesigned to incorporate a 'Dutch' half-hipped roof. The applicant should be requested to address this by way of submitting **Additional Information**. As a result of any changes to the proposed roof profile the applicant should ensure that the proposed rear dormer extension is appropriately located on the roof.

The three front 'Velux' windows are considered to be generally acceptable with regards to visual and residential amenity.

The statutory notices state that the attic area is to be used as storage, however, the proposed plans detail that the attic conversion is proposed as habitable space. A **note** should be attached stating that to use the attic for habitable space it must comply with the Building Regulations.

Rear Dormer Windows

It is considered that the two proposed separate standalone rear dormer windows are not three tile courses above the eaves are not recessed back from the gable ends of the roof and would in their present proposed state be visually dominant. The Planning Authority would request, by **Additional Information**, that the design is revised to provide a single, centrally placed dormer window that is set back appropriately from the side and rear eaves. It is considered that a revised proposal with a reduced scale and bulk would be consistent with the zoning objective which seeks to 'To protect and/or improve Residential Amenity' under the South Dublin County Council Development Plan 2016-2022.

Services & Drainage

Surface Water Drainage and Irish Water have no objections subject to standard conditions being attached for the development in the event of a grant of permission.

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.

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Development Contributions Assessment Overall Quantum

Attic Conversion /Dormer window:	43sq.m (non-habitable)
Retained Front Porch:	9sq.m
Assessable Area:	12sq.m

SEA Monitoring Information

Building Use Type Proposed:	Residential- Extension
Floor Area:	43sq.m
Retained Front Porch:	9sq.m
Land Type:	Brownfield/Urban Consolidation.
Site Area:	0.033

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 the applicant shall modify the roof and dormer window proposal by Additional Information to be in accordance with the proper planning and sustainable development of the area.

Recommendation

Further Information

Further Information was requested on 11th Apr 2022

Further Information was received on 16th May 2022

Consultations:

None requested.

Submissions/Observations

None received for this application.

The Further Information requested is as follows:

1. It is considered that the proposed two raised gable ended roof profile would not be in keeping with the character of the surrounding area and would not accord visually in this location. Therefore, the applicant is requested to redesign the roof profile which may include for and incorporate a 'Dutch' half-hipped roof to both gable ends. (Please ensure that the 'Dutch' hip is not 'token'). As a result of any changes to the proposed roof profile the applicant should ensure that the proposed rear dormer extension is appropriately located on the roof. The applicant is requested to submit revised elevational drawings, floor plans, cross sectional drawings and site layout plan.

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2. The proposed dormer window is not compliant with the South Dublin Design Guidance. The applicant is requested to submit revised elevational drawings, cross-sectional drawings that clearly demonstrate compliance with County Development Plan policy.
In this regard the applicant is requested to:
 - (i) Revise the design to provide a single, centrally placed dormer window .
 - (ii) set the dormer window back a minimum of 3 tile courses from the rear eaves of the existing dwelling, to demonstrate that the rear dormer complies with the requirements of the South Dublin County Council Development Plan 2016-2022 House Design Guidance.
3. The status of the existing side extension is currently unclear. The applicant is requested to clarify the planning status of this structure .

Item 1

It is considered that the proposed two raised gable ended roof profile would not be in keeping with the character of the surrounding area and would not accord visually in this location. Therefore, the applicant is requested to redesign the roof profile which may include for and incorporate a 'Dutch' half-hipped roof to both gable ends. (Please ensure that the 'Dutch' hip is not 'token'). As a result of any changes to the proposed roof profile the applicant should ensure that the proposed rear dormer extension is appropriately located on the roof. The applicant is requested to submit revised elevational drawings, floor plans, cross sectional drawings and site layout plan.

Assessment

The applicant has submitted drawings from *Kevin Tiernan Architectural Drawing and Building Services* dated the *25th of March 2022*.

In response to the AI request, the applicant has redesigned the roof profile that now includes a 'Dutch' half-hipped roof to both gables ends, ensuring that the proposed rear dormer extension is appropriately located on the roof. The applicants indicated the amendments on the resubmitted drawings titled '*elevations*' and '*Layouts, Sections & Site Layout plans*'.

The proposal now complies with the guidance set out in the 'House Extension Design Guide 2010' and would be in keeping with the surrounding area's character and would accord visually at this location. Therefore, the proposal is considered acceptable.

Item 2

The proposed dormer window is not compliant with the South Dublin Design Guidance. The applicant is requested to submit revised elevational drawings, cross-sectional drawings that clearly demonstrate compliance with County Development Plan policy.

In this regard the applicant is requested to:

- (i) Revise the design to provide a single, centrally placed dormer window .
- (ii) set the dormer window back a minimum of 3 tile courses from the rear eaves of the existing

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dwelling, to demonstrate that the rear dormer complies with the requirements of the South Dublin County Council Development Plan 2016-2022 House Design Guidance.

Assessment

The applicants indicated the following amendments on the resubmitted drawings titled 'elevations' and 'Layouts, Sections & Site Layout plans'.

(i) a single, centrally placed dormer window.

(ii) has set the dormer window back a minimum of 3 tile courses from the rear eaves of the existing dwelling, and now demonstrate that the rear dormer complies with the requirements of the South Dublin County Council Development Plan 2016-2022 House Design Guidance.

Item 3

The status of the existing side extension is currently unclear. The applicant is requested to clarify the planning status of this structure .

Assessment

The applicant has stated that under SD19B/0325 – Permission was Granted for the demolition of the existing single-storey side extension and construction of a new single-storey extension with a flat roof over and with two roof lights to the side and front of the existing dwelling house for extended living accommodation.

The planning authority notes that the planning history was not fully transparent at the report time. However, the above is noted and considered acceptable.

Conclusion

The Planning Authority considers that the proposal is now consistent with the requirements of the County Development Plan or the guidance set out in the South Dublin County Council House Extension Design Guide (2010) in respect of rear extensions. Therefore, the proposed design is deemed to be acceptable. Accordingly, a grant of planning permission is recommended.

Development Contributions Assessment Overall Quantum

Attic Conversion /Dormer window: 41sq.m (non-habitable)

Retained Front Porch: 9sq.m

Assessable Area: 9sq.m

SEA Monitoring Information

Building Use Type Proposed: Residential- Extension

Floor Area: 41sq.m

Retained Front Porch: 9sq.m

Land Type: Brownfield/Urban Consolidation.

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Site Area: 0.033

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan, the proposed and retained 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.

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 & Grant 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.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out, completed and retained in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 16th of May 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) Drainage - Surface Water.

- (i) There shall be complete separation of the foul and surface water drainage systems, both

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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.

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.

(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 noise pollution shall only be permitted following a written request to the Planning

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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.

3. Financial Contributions.

The developer shall pay to the Planning Authority a financial contribution of €940.41 (nine hundred and forty euros and forty one 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

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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 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/0064

LOCATION: 22, Landsdowne Park, Knocklyon Dublin 16 D16TP30

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 & Grant 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:

30/5/22



Eoin Burke, Senior Planner