

# Comhairle Chontae Atha Cliath Theas

**PR/0756/22**

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

**Reg. Reference:** SD22B/0170      **Application Date:** 22-Apr-2022  
**Submission Type:** New Application      **Registration Date:** 22-Apr-2022

**Correspondence Name and Address:** Alan and Carina Dillion 29, Woodstown Lane,  
Dublin 16

**Proposed Development:** First floor and two storey extension to side; removal of hip section of roof and building up gable wall to form a quarter hip; conversion of attic to useable storage space placing 2 velux windows and a dormer window and solar panels in roof to rear; 2 Velux windows in roof to front; single storey extension to rear; window profile change to house; single storey shed/home office extension to side of existing house.

**Location:** 29, Woodstown Lane, Dublin 16

**Applicant Name:** Alan and Carina Dillion

**Application Type:** Permission

(CM)

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

#### Site Area

0.0046 Ha.

#### Site Description

The site accommodates a 2-storey, semi-detached house with hipped roof. As with other houses in the area, this is treated with white render at first floor level and buff brick at ground floor level. The house has a ground floor side return and canopy roof over front door which is an original feature. The house is typical of houses on this cul-de-sac, where some side extensions have been built. As is also typical of the street, the front building line of the house is staggered, with an outer bay element stepped back and behind the building line of the inner bay element. The hip-and-valley roof is similarly staggered to account for this.

Site visit: 7/5/22

### **Proposal:**

- (1) **First floor and two storey extension to side;**
- (2) Removal of hip section of roof and building up gable wall **to form a quarter hip;**
- (3) **Conversion of attic** to useable storage space placing 2 Velux windows and **a dormer window and solar panels in roof to rear;**
- (4) 2 Velux windows in roof to front;
- (5) **Single storey extension to rear;**

# Comhairle Chontae Atha Cliath Theas

**PR/0756/22**

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

- (6) Window profile change to house;
- (7) **Single storey shed/home office extension to side of existing house.**

### **Zoning:**

'RES' – 'To protect and/or improve residential amenity.'

### **Consultations:**

Environmental Services	Requests additional information.
Irish Water	No objection, subject to conditions.

### **SEA Screening**

No overlap with the relevant environmental layers.

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

None.

### **Relevant Planning History**

None.

### **Relevant Enforcement History**

None.

### **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.*

*Section 9.3.4 Non-Designated Areas*

*Policy HCL 15 Non-Designated Areas*

*Objective 3 – To protect existing trees, hedgerows and woodlands...*

*Section 11.3.3 Additional Accommodation*

*Section 11.3.3 (i) Extensions*

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

# Comhairle Chontae Atha Cliath Theas

PR/0756/22

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

### National Guidelines & Policy relevant to Development Management in SDCC

#### Ministerial Guidelines and Policy

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

**Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

**Rebuilding Ireland: Action Plan for Housing and Homelessness**, Government of Ireland (2016).

**Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities**, Department of Housing, Planning and Local Government (2020).

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

**Urban Design Manual**, Department of the Environment, Heritage and Local Government, (2008).

**Urban Development and Building Heights Guidelines for Planning Authorities**, (2018)  
**Quality Housing for Sustainable Communities-Best Practice Guidelines**, Department of the Environment, Heritage and Local Government (2007).

**Design Manual for Urban Roads and Streets** Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

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

**The Planning System and Flood Risk Management - Guidelines for Planning Authorities**, Department of the Environment, Heritage and Local Government & OPW, (2009).

# Comhairle Chontae Atha Cliath Theas

**PR/0756/22**

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

### **Assessment**

The main issues for assessment concern the following:

- Zoning and Council policy;
- Residential amenity and visual impact;
- Drainage
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

### **Zoning and Council Policy**

The site is located in an area which is subject to zoning objective 'RES' – '*To protect and/or improve Residential Amenity*'. The development of an extension or alteration to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.3 which relates to extensions to dwellings.

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

#### **1. Extension to side**

The proposal would extend the ground side return further to the back, to the rear building line (where it would connect with the new rear extension, see below), and provide first floor and attic level accommodation above this. The first floor accommodation and roof would match the front building line of the inner bay of the semi-detached house, sitting in front of the outer bay (and the front door) – this matches the current arrangement of the side return.

The South Dublin County Council House Extension Design Guide (2010) advises that two-storey side extensions should be set back by 50cm either where there is no space to the side, or where there is a change in material treatments. Neither is the case in this instance, and it should be a **condition of permission** that the material treatment of the new build element matches that of the existing house.

The side extension is not considered to present any difficulties in terms of visual impact and is acceptable.

#### **2. Roof Profile**

The provision of a half hip roof is in keeping with county council policy and practice. It is uncertain what the reference to a 'quarter hip' in the notices entails, however the drawings indicate a visually acceptable 'Dutch Hip'.

#### **3. Attic conversion, dormer, and roof lights**

As per drawings submitted, the proposed dormer would not breach the ridge level of the house, nor would it be too close to the party boundary or the eaves of the roof. In any event, such matters can be the subject of a **condition of permission**.

# Comhairle Chontae Atha Cliath Theas

**PR/0756/22**

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

The dormer window would be approx. 8 metres from the rear boundary of the property; this would still be set back from the existing first floor windows and is not considered to create additional overlooking or loss of privacy. The dormer window is considered to be acceptable.

The solar panels do not present an issue given the limited scale of the proposal.

### **4. Rooflights to front**

The rooflights to the front are not considered to present a problem in terms of visual impact or loss of residential amenity.

### **5. Single-storey rear extension**

The single storey rear extension would have a depth of approx. 3 metres, and a width of 8.8 metres (matching the main body of the house and the side return/extension). The roof would be a modern flat roof shown with parapet height of 3.245 metres above ground.

The rear extension fails the '45° test' of sunlight/daylight impact when considering the rear window of the adjoining dwelling. This would appear to be due to the rather high parapet proposed, and it isn't clear from the existing and proposed elevations that the measurement of 3.245 metres from ground to parapet level is accurate, or alternatively, that the proposed rear extension has been drawn to the correct scale in comparison to the existing house.

The parapet should not be so high as to fail the '45° test' set out in the SDCC House Extension Design Guide, considering that the depth of the extension is only 3 metres. This can be rectified by **condition of permission** and rear elevations can be agreed prior to commencement of development.

The architect's drawings show the rear extension wall straddling the property boundary with the adjoining plot. A note on the drawing states that agreement will be reached with the neighbour prior to commencement of works. Unfortunately, this does not follow the required planning process and the council cannot grant permission to works that are (i) outside the red line boundary of the application, or (ii) outside the ownership of the applicant, without a letter of consent having been supplied. Question 10 of the SDCC Planning Application Form provides an opportunity for the applicant to identify other land owners, and the neighbour has not been referenced. A **condition of permission** should specify that permission has been granted for works within the red line boundary and therefore within the property of the applicant.

### **6. Windows**

The changes to windows in the front and rear elevation, where not covered by other items in this report, are acceptable.

# Comhairle Chontae Atha Cliath Theas

**PR/0756/22**

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

### 7. Single-Storey Detached Home Office / Shed

The single-storey shed proposed to the side of the development measures 34 sqm internally (external measurements are 4.4m wide by 10.5m deep). The 'shed' would consist of an office room, a WC, and a habitable room to the rear referred to as a 'store' in the plans. A number of elements of the shed are inappropriate for a domestic extension/outbuilding, as follows:

- It is inappropriate to provide a W/C in an external outbuilding.
- The store room is 12m<sup>2</sup> and would be used as a living room or other reception room.
- The shed would sit in front of the main house and would be accessed directly from the front, rather than via the back garden as would be expected.

Taken in combination, there is a clear risk and likelihood that the outbuilding could be used as a separate dwelling, and the site subdivided for this purpose. A number of changes are necessary and can be made by **condition of permission**:

- The shed should not sit in front of the building line. The shed should be stepped back from the front building line.
- The store room should be limited to 3m<sup>2</sup>, as per the guidance on storage rooms contained in the 2020 Apartment guidelines.
- The access to the shed should be from the rear, not the front.
- The WC room should be omitted.

The applicant should agree a revised layout **by condition**.

### **Water**

The Environmental Services Department seeks additional information regarding Suds measures, as none are proposed. This can be the subject of a **condition of permission**.

Irish Water has stated no objection subject to all works being carried out to Irish Water standards. This is noted.

### **Screening for Appropriate Assessment**

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 sites, it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

### **Screening for 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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0756/22**

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

### **Other Considerations**

#### **Bonds & Contributions**

The proposed development is for a domestic extension and detached office/shed building. Excluding the non-habitable attic conversion and the office/shed building, the total floor area is 44 sqm.

There are no other extensions (side and rear returns are original features).

Having regard to the 40sqm allowance for domestic extensions, the assessable area is 4 sqm.

#### **SEA Monitoring**

Development Type: Residential

Floor Area (Sq.m.): 78

Site Type: Brownfield / Urban Consolidation

Site Area (Ha.): 0.046

### **Conclusion**

The proposed development would not be seriously injurious to the residential amenities of the area, subject to the conditions attached herewith, which contain modifications to some elements of the development. The development would be consistent with the 'RES' land-use zoning objective, the South Dublin County Development Plan 2016 – 2022, and 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 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

# Comhairle Chontae Atha Cliath Theas

**PR/0756/22**

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

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. Clarification of Permission.

As per Q10 of the Planning Application Form, and the Site Location Map provided, this permission relates only to development inside the red line boundary, and on lands in the ownership of the applicant at the time of making the permission.

Reason: To clarify the development to which the permission relates.

### 3. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority and such amendments shall be fully implemented on site:

Revised plans that incorporate all of the following amendments and specifications:

(a) the window in the dormer shall be 1.3 metres in width.

(b) the parapet roof of the rear extension shall be reduced in height such that the mid point of the nearest ground floor window of the adjoining property, is outside a line drawn at an angle of 45 degrees down, from the corner of the parapet, when viewed in elevation.

(c) The shed/office building shall be re-sited or reduced in size such that the front facade is set back from the front building line of the house by 1 metre.

(d) The shed/office building shall not be fitted with a W/C and shall not have a foul sewer connection.

(e) The store room in the shed/office building shall not exceed 3sqm.

(f) The access to the shed/office building shall be from the rear and the front/side door access shall be omitted.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

### 4. Sustainable Drainage.

Prior to commencement of development, the applicant, developer or land owner shall obtain the written agreement of the Planning Authority to a sustainable drainage solution, which shall manage excess run off from the site and mitigate the increase in hardstanding and the increased footprint of the building. The proposal shall include the following details and specifications:

The design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance and shall include documented evidence of infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365.

The revised plans shall provide for a soakaway to be located within the curtilage of the property and this shall be:



# Comhairle Chontae Atha Cliath Theas

**PR/0756/22**

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

(i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.

(ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.

(iii) a minimum of 10m from any sewage treatment percolation area.

(iv) at least 10m from any stream / river / flood plain.

In addition only rainwater shall be discharged to soakaways.

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.

### 5. External Finishes.

All external finishes shall match those of the existing house or its context.

REASON: In the interest of visual amenity.

### 6. Restriction on Garage/shed Use.

The outbuilding shall be used solely for purposes incidental to the enjoyment of the dwelling house as such and shall not be used for habitation or the carrying on of any trade or business, and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

REASON: In the interest of residential amenity.

### 7. (b) Restriction on Use.

The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

REASON: To prevent unauthorised development.

### (c) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

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

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

### (d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This

# **Comhairle Chontae Atha Cliath Theas**

**PR/0756/22**

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

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 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.

### **8. Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €417.96 (four hundred and seventeen euros and ninety six cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is

# **Comhairle Chontae Atha Cliath Theas**

**PR/0756/22**

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

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.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

NOTE: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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/0756/22**

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

**REG. REF. SD22B/0170  
LOCATION: 29, Woodstown Lane, Dublin 16**

*jjohnston*

**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:**

16/6/22



**Eoin Burke, Senior Planner**