

Comhairle Chontae Atha Cliath Theas

PR/0775/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0176 **Application Date:** 27-Apr-2022
Submission Type: New Application **Registration Date:** 27-Apr-2022
Correspondence Name and Address: O'Loughlin Architects Ltd. Redhills House, Kildare, Co. Kildare
Proposed Development: Attic extension creating attic storage space of circa 19sq.m which includes a dormer window to the rear and 1 window on the side gable wall; associated alterations to rear and side elevations and all ancillary site works.
Location: 3, Temple Manor Way, Dublin 12
Applicant Name: Siobhan Kenny
Application Type: Permission

Description of Site and Surroundings:

Site Area

Stated as 0.0190 Hectares.

Site Description

The application site is located within the established Temple Manor residential estate and contains a semi-detached two storey dwelling. The surrounding streetscape of Temple Manor Way is generally characterised by semi-detached two storey dwellings of similar appearance and architectural form. The subject site is located towards the western end of a row of semi-detached dwellings which have a generally uniform front building line that follows the alignment of the road along Temple Manor Way.

The existing semi-detached two storey dwelling contains a hall, sitting room, toilet and kitchen/dining room at ground floor level and 3 No. bedrooms (one of which is ensuite) and a family bathroom at first floor level. The roof profile of the dwelling is pitched with a ridge level of c. 7.87m. The dwelling appears to have been subject to previous modification with the addition of a single storey extension to the rear projecting approximately 4.75m out from the rear elevation, spanning a width of 5.25m and with a pitched roof profile that has an approximate ridge height of 4.1m.

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Proposal:

Permission is being sought for the following:

- Conversion of the attic level and an extension of the attic floor area to provide an attic storage space with an approximate floor area of 19 sq m.
- Associated alterations to the roof profile of the existing roof resulting in the addition of a rear dormer spanning an approximate width of 4.5m.
- Addition of 1 No. new window to the side (eastern) elevation at attic level.
- All ancillary site works above and below ground.

Zoning:

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity' in the South Dublin County Development Plan 2016-2022.

Consultations:

Drainage and Water Services Department – No objection, subject to conditions.

Irish Water – No objection, subject to conditions.

Roads Department – No objection, subject to conditions.

Transport Infrastructure Ireland – No objection.

SEA Sensitivity Screening

No overlap is recorded with the relevant environmental layers of the SEA monitoring system.

Submissions/Observations /Representations

Submission expiry date – 31st May 2022 - No submissions or observations received.

Relevant Planning History

No recent relevant planning history recorded for subject site.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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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 1:

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 11.3.1 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 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on side extensions:

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'.*

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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;*
- *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.*

Overlooking and loss of privacy

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

Relevant Government Guidelines

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.

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

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 assessment relate to:

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

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Zoning and Council Policy

The extension to an existing dwelling comprised of an attic conversion is consistent with the principle of the 'RES' zoning objective and would generally be in compliance with South Dublin County Development Plan 2016-2022 and the South Dublin County Council House Extension Design Guide (2010).

Visual and Residential Amenity

It is noted that the proposed conversion and extension of the attic and provision of a rear dormer generally comply with the content of the South Dublin County Council House Extension Design Guide (2010). The dormer appears to be set back at least 3 No. tile courses from the eaves line. According to the drawings provided by the Applicant, the proposed dormer is not set below the ridge line of the existing roof profile. In this regard the following extract from the South Dublin House Extension Design Guide (2010) is noted:

'Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch.'

Having regard to the above, the proposed dormer does not adhere to the content of the House Extension Design Guide (2010). However, the Planning Authority is satisfied that this can be addressed by way of **CONDITION** requiring the dormer to be set a minimum of 100mm below the ridgeline of the existing roof profile.

Notwithstanding the concerns regarding the positioning of the proposed dormer, it is considered that the proposal would not be materially harmful to neighbouring residential amenity in terms of overshadowing and overbearing.

Although there is potential for the proposed dormer window to overlook adjacent properties, it is not considered that it would be materially worse than views from the existing first floor windows and therefore would not give rise to unacceptable levels of overlooking.

Having regard to the overall scale and design of the proposed attic conversion and rear dormer extension, it is considered that the proposal would not have an adverse impact on the residential and visual amenity of the subject site and adjacent properties.

It is noted that an attic level window is proposed in the side (eastern) elevation at the stairwell providing access to the converted attic space. Although not indicated on the drawings, the materiality of this window should be opaque to prevent overlooking to adjacent properties. This can be secured by **CONDITION**.

The proposed development provides for the conversion of the existing attic into an attic room with new access stairs. According to the documentation provided by the Applicant, the conversion is

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proposed as a non-habitable storage space; a **NOTE** should be attached stating that in order to use the attic for habitable space it must be subject to a future planning application demonstrating compliance with the Building Regulations.

Drainage and Water Services

The Reports of the Drainage and Water Services Department and Irish Water indicate no objection to the proposed development, subject to standard CONDITIONS.

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.

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 conversion of an attic space within an existing dwelling to non-habitable storage space. 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.

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Other Considerations

Development Contributions	
Building Use Type Proposed	Floor Area (sq.m)
Residential (Attic Conversion – Non-habitable)	19 sq m
Previous Extension	25 sq m
Assessable Area (Attic conversion – Non-habitable)	0 sq m

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential (Attic Conversion – Non-habitable)	19 sq m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.019 Ha

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 dwellings.

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 to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety 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. Re-design Rear Dormer
Prior to the commencement of development the Applicant shall submit revised plan, elevational and sectional drawings showing the re-positioning of the proposed rear dormer to sit a minimum of 100mm below the ridge line of the main roof profile.
REASON: To adhere to the content of the South Dublin House Extension Design Guide (2010) and in the interests of proper planning and sustainable development.
3. (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) 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'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.
(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

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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.

4. Glazing.

The proposed window at attic level on the southern gable end of the dwelling shall be glazed with obscure glass.

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

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the

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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.

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REG. REF. SD22B/0176

LOCATION: 3, Temple Manor Way, 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 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: 21/5/22



Eoin Burke, Senior Planner