

# Comhairle Chontae Atha Cliath Theas

**PR/0842/22**

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

**Reg. Reference:** SD22B/0206      **Application Date:** 12-May-2022  
**Submission Type:** New Application      **Registration Date:** 12-May-2022  
**Correspondence Name and Address:** Tara Ward 4, Carrigmore Close, Aylesbury, Tallaght, Dublin 24  
**Proposed Development:** Removal of chimney from roof and attic level; ground floor rear extension with flat roof; ground floor internal alterations; 2 windows in gable wall at ground floor; build-up of existing hip to side of roof into 'Dutch' hip with window in gable wall; attic conversion with wc and dormer roof window on rear slope of roof all at attic level.  
**Location:** 41, The Drive, Boden Park, Dublin 16  
**Applicant Name:** Deidre and Darren White  
**Application Type:** Permission

(SW)

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

#### Site Description:

The site contains a semi-detached, two storey dwelling with a hipped roof. The area is characterised by properties that are similar to the application dwelling.

Site Area: 0.02 Hectares.

### **Proposal:**

The proposed development will consist of:

- Removal of chimney from roof and attic level;
- ground floor rear extension with flat roof;
- ground floor internal alterations;
- 2 windows in gable wall at ground floor;
- build-up of existing hip to side of roof into 'Dutch' hip with window in gable wall;
- attic conversion with wc and dormer roof window on rear slope of roof all at attic level.

### **Zoning:**

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

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### **Consultations:**

Surface Water Drainage: No report received at time of writing.

Roads: No objections.

Irish Water: No objections, subject to conditions.

Parks: No objections, subject to conditions.

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

None received.

### **Relevant Planning History**

*Application Site:*

None.

*Adjacent Sites:*

SD20B/0289 Attic conversion incorporating raising of side hip to form new 'Dutch' hip together with dormer to rear and rooflights to front. 13, The Rise, Boden Park, Rathfarnham, Dublin 16

**Grant Permission**

SD18B/0447 Alterations to roof to allow for attic conversion (25. 51sq.m) to include replacing hipped roof at right hand side with new 'Dutch' hip roof construction, complete with dormer roof extension to rear; 'Velux' roof windows to front elevation and new frosted landing window to side, together with internal alterations and associated site works. 62, The Rise, Boden Park, Dublin 16 **Grant Permission**

SD18B/0108 Alterations to existing roof to allow for new attic conversion to include new dormer roof extensions to side and rear, 'Velux' roof windows to front elevation and new frosted landing window to side, together with internal alterations and associated site works. 62, The Rise, Boden Park, Dublin 16 **Refuse Permission**

SD17B/0328 Attic conversion with dormer to side and rear and rooflights to front. 13, The Rise, Boden Park, Rathfarnham, Dublin 16 **Refuse Permission (SDCC) Grant Permission (ABP)**

### **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 Extension*

*Policy H18 Residential Extension*

*Policy H18 Objective 1:*

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*“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*

*Section 11.3.3 (i) Extensions*

*Section 11.7.2 Energy Performance in New Buildings*

*Section 11.8.0 Environmental Assessment*

### **South Dublin County Council House Extension Design Guide, 2010**

The House Extension design guide contains the following guidance on house extensions, including in particular:

- *Respect the appearance and character of the area;*
- *Provide comfortable internal space;*
- *Do not overlook, overshadow or have an overbearing impact on neighbouring properties;*
- *Conserve water and save energy where possible;*

For rear extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Match the shape and slope of the roof of the existing house, although flat-roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*
- *Do not create a higher ridge level than the roof of the main house.*
- *The roofline of large extensions to the rear of single storey bungalows should not be visible from public view to the front or to the side of the bungalow.*

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;*

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- *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.*

### **Relevant Government Guidelines**

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

*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).*

### **Assessment**

The main issues to consider are:

- Zoning and Council policy;
- Residential & Visual Amenity;
- Services and Drainage;
- Screening for Appropriate Assessment (AA);
- Screening for Environmental Impact Assessment (EIAR).

### ***Zoning and Council Policy***

The proposed extensions are consistent with zoning objective 'RES,' in which extensions to existing dwellings are permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan regarding Residential Extensions, and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010.

### ***Residential & Visual Amenity***

#### **Removal of chimney from roof and attic level:**

This would have a negligible impact on visual amenity and no impact on residential amenity. This element of the proposal is considered acceptable.

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### Ground floor rear extension with flat roof

The proposed extension would be 6.3m wide and 4.5m deep. It would extend the width of the dwelling, meeting the boundary with No43 and maintaining the existing set off with No39. It would have a height of 3m. 36sq.m of rear amenity space would remain following the proposed extension.

Given the scale of the proposal, the orientation of the buildings, and the level of remaining amenity space, it is considered that the proposed development is acceptable in terms of impact on residential amenity.

The proposal is to the rear and would not have any impact on visual amenity.

### Ground floor internal alterations

This would have no impact on visual or residential amenity.

### 2 windows in gable wall at ground floor

This would have a negligible impact on visual or residential amenity.

### Build-up of existing hip to side of roof into 'Dutch' hip with window in gable wall;

The proposal would change the roof profile from hipped to 'Dutch' hip. There are currently hipped roofs in the streetscene and the change to 'Dutch' hip would have an acceptable impact visually in this instance.

The proposal would also introduce a dormer window. The House Extension Design Guide recommends that dormers are set at least 100mm from the ridge of the roof and at least 3 tile courses from the eaves. The dormer would meet this requirement. The proposal would be set off the boundary with both adjacent properties and would not be visible from the front. The proposed dormer is considered acceptable in terms of visual and residential amenity.

The gable window would have a negligible impact on visual or residential amenity

### Attic conversion with wc and dormer roof window on rear slope of roof all at attic level.

Notwithstanding the indicated layout, the proposed attic conversion would have a floor to ceiling height of less than 2.4m and is not considered to be habitable. A note is recommended advising the applicant of the requirements of building regulations.

In summary, the proposed development is considered to be acceptable in terms of residential and visual amenity.

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### *Services and Drainage*

Water Services has not provided a report in this instance. It is noted that the proposal is to the rear and not within the vicinity of any existing pipes. Irish Water report states no objections, subject to standard conditions.

The Parks and Public Realm Department has recommended a condition regarding SuDS.

### *Screening for Appropriate Assessment*

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

### *Screening for Environmental Impact Assessment*

Having regard to the modest nature of the application seeking retention and permission, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### Other Considerations

#### *Development Contributions*

- Attic conversion (non-habitable)
- Rear extension 23.6sq.m
- 40sq.m exemption.
- Assessable area is nil.

### *Monitoring for Strategic Environmental Assessment*

**Building Use Type Proposed** Residential extension

**Floor Area (sq. m)** 52

**Land Type** Brownfield/Urban Consolidation

**Site Area (ha)** 0.02

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### **Conclusion**

The proposed development is deemed to generally comply with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and the South Dublin County Development Plan 2016 – 2022, and with the attachment of the following conditions would accord 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 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. (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.

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(c) Drainage - Irish Water.

(i) All development shall be carried out in compliance with Irish Water 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 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:



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- 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. SuDS.**

Prior to the commencement of development, the applicant shall submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Sample SuDS devices include green roofs, water butts, tree pits, rain gardens, filter strips and permeable paving amongst others. The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

If the SuDS include a soakaway, the soakaway 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.

Any soakaway shall be located within the curtilage of the property and shall be:

- (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:** To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2. 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.

**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.

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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/0206**

**LOCATION: 41, The Drive, Boden Park, Dublin 16**



**Sarah Watson,  
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:**



  
**Colm Harte,  
Senior Executive Planner**