

Comhairle Chontae Atha Cliath Theas

PR/0885/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0225 **Application Date:** 19-May-2022
Submission Type: New Application **Registration Date:** 19-May-2022

Correspondence Name and Address: Michael Finnan Lower Friarstown, Bohernabreena, Dublin 24

Proposed Development: Single storey side extension. Removal of main existing pitched roof on dwelling and replacement of same with a mixture of pitch and flat roof. 1 Velux window in roof to rear, 1 Velux window in roof to side North elevation and 1 dormer structure with obscure window in roof to side South elevation. All associated site works.

Location: 432A, Orwell Park Green, Dublin 6W

Applicant Name: Declan Heery and Liz McGrath

Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Area: stated as 0.0236 hectares

Site Description:

The application site contains a one-off, two-storey, detached house located on Orwell Park Green on a corner site. The existing dwelling is a hipped roof with a front door canopy with permission for a single-storey side extension to the north of the site under SD22B/0008. The surrounding area is hipped-roofed and of a similar form and appearance.

Proposal:

Permission is sought for the following:

- Single storey side extension.
- Removal of main existing pitched roof on dwelling and replacement of same with a mixture of pitch and flat roof.
- 1 Velux window in roof to rear, 1 Velux window in roof to side North elevation and
- 1 dormer structure with obscure window in roof to side South elevation. All associated site works.

Zoning:

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*.

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Consultations:

Surface Water Drainage – No objection, subject to conditions.
Irish Water – No objection, subject to conditions.
Roads Department – No objection, subject to conditions.
Public Realm – No objection, subject to conditions.

Submissions/Observations /Representations

No submissions or observations were received.

Relevant Planning History

SD22B/0008: Permission Granted and Permission Refused for the following:

- First floor rear extension (8.3sq.m)
- Single storey side extension (11.2sq.m)
- Attic extension to provide 2 rooms and a bathroom (53sq.m)
- Removal of main existing pitched roof on dwelling and replacement of same with a mixture pitch and flat roof, placing a 'Velux' window in front, 2 'Velux' window in rear, 5 'Velux' windows in north side of new roof, 2 'Velux' windows and 1 dormer structure with obscure window on side south face of new roof
- Replacement aluclad windows and doors
- All associated site works.

1. Amendments

The following amendment to the design shall be carried out:

(a) The first floor rear extension, attic extension and roof alterations are NOT permitted as part of this decision. Only the ground floor side extension and replacement of windows and doors are permitted as part of this decision.

(b) All windows serving bathrooms, wc's, stairways or landings shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.

REASON: In the interest of residential amenity.

SD21B/0347: Permission refused for construction of a first floor rear extension; two storey side extension; removal of main existing pitched roof on dwelling and replacement of same with a mixture of pitch and flat roof; 1 'Velux' window in front and rear of new roof; 3 'Velux' windows in side north face of new roof; 1 dormer structure with 3 obscure windows on side south face of new roof; all associated site works.

Reason for Refusal:

The proposed development, by reason of its scale, design, appearance and location on a prominent corner site would be out of character with the existing dwelling and with neighbouring dwellings in the vicinity. The proposal would be visually obtrusive on the

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streetscape and would have a significant adverse visual impact, would be contrary to the 'RES' zoning objective for the area which seeks 'To protect and/or improve residential amenity', and would be contrary to proper planning and sustainable development of the area. The proposal would seriously injure the amenities of property in the vicinity and would contravene the guidance in the SDCC House Extension Design Guide and the provisions of the South Dublin County Council Development Plan 2016-2022.

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.

Section 11.3.3 Additional Accommodation

(i) Extensions

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

Relevant Government Guidelines

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

***Regional Spatial & Economic Strategy 2019 - 2031**, Eastern & Midlands Regional Assembly, (2019).*

***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).*

***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)**.*

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Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Addressing Previous Reason for Refusal
- Residential and Visual Amenity
- Services, Drainage and the Environment
- Access and Parking
- Street Trees
- Environmental Impact Assessment
- Appropriate Assessment

Zoning and Council Policy

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*. A residential extension is 'Permitted in Principle' under this zoning objective.

Addressing previous reason for refusal for attic extension and roof alterations

Previous permission

Under a recent application, Reg. Ref. SD22B/0008, permission was **granted** for:

- Single storey side extension (11.2sq.m)
- Replacement aluclad windows and doors

And permission was **refused** for:

- First floor rear extension (8.3sq.m)
- Attic extension to provide 2 rooms and a bathroom (53sq.m)
- Removal of main existing pitched roof on dwelling and replacement of same with a mixture pitch and flat roof, placing a 'Velux' window in front, 2 'Velux' window in rear, 5 'Velux' windows in north side of new roof, 2 'Velux' windows and 1 dormer structure with obscure window on side south face of new roof.

These elements were refused for the following reason:

The proposed first floor rear extension, attic extension and roof profile alterations, by reason of their scale, slope, design, appearance and location on a prominent corner site would be out of character with the existing dwelling and with neighbouring dwellings in the vicinity. The proposal would have a negative impact on the privacy and amenity of neighbouring dwellings, be visually obtrusive on the streetscape and would have a significant adverse visual impact. The development would be contrary to the 'RES' zoning objective for the area which seeks 'To protect and/or improve residential amenity', and would be contrary to proper planning and sustainable development of the area. The proposal would seriously injure the amenities of property in the vicinity and

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would contravene the guidance in the SDCC House Extension Design Guide and the provisions of the South Dublin County Council Development Plan 2016-2022.

In their cover letter with the subject application the applicant states that this new application includes the permitted single storey side extension (no alterations to this proposed) and addresses the reason for refusal under Reg. Ref. SD22B/0008. They have made the following alterations in this application:

- First floor rear extension has been omitted.
- Overall height with attic conversion reduced by approx. 325mm to 8.003m (previously proposed at 8.328m).
- Dormer extension on south face in zinc and set down from the roof ridge.

The revised proposed development is assessed as follows.

Side Dormer

The attic conversion would have a ceiling height of 2.2m to provide a usable storage room in the attic space. In addition, a revised flat-roofed dormer has been proposed on the (side) south elevation. The proposed flat-roofed side dormer window is below the ridgeline of the existing dwelling, built with three tile courses above the eaves of the dwelling, contemporary in style to match the side extension and complies with the South Dublin County Council House Extension Design Guide (2010). The dormer window is noted to be frosted to prevent any overlooking of the adjacent property to the south; it is not considered that there would be any issues of overlooking or loss of privacy to neighbouring dwellings.

Roof Alterations

The altered roof profile would be at a reduced height and is now 0.3m higher than adjoining residences to the south (approx. 0.7m increase to what the subject dwelling is currently). To facilitate the attic conversion, the roof would be amended to provide a largely hipped profile with a flat roof at the centre. It is considered that the reduced height and roof alterations are now more seamless, create a less visual imbalance from the existing dwelling roof type, and are more appropriately designed within the context of the area. The modest additional roof height has a less pronounced slope and would be considered acceptable with the prevailing character of the area. Given the prominent corner location of the site, it is believed that the roof alterations would not be visually obtrusive and considered to integrate into the visual residential amenities of the area.

Rooflights to side/rear roof

The proposed two roof lights to the rear (west) and side (north) of the dwelling are considered acceptable to the visual and residential amenities of the surrounding area.

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The conversion of the existing attic would provide an acceptable balance between the adaptable re-design of the house and providing accommodation that meets the needs of families so that the life cycle and use of that building can continue. A **note** shall attach that the attic conversion adheres to building regulations.

In summary, it is considered from the original proposals under SD21B/0347 and SD22B/0008 the subject proposal has been vastly scaled back and reduced to the appropriate size of the site and its corner site location. The attic extension and roof alterations address the previous reason for refusal and would be acceptable. Furthermore, it is believed that the modifications are now broadly in keeping with the area and would therefore be acceptable and a grant of permission is recommended.

Residential and Visual Amenity

Side Extensions (Granted as per SD22B/0008)

It is noted that the single storey side extension to the north gable was already granted under SD22B/0008 as follows:

A single storey ground floor extension would be provided to the side, along the north elevation, and would incorporate and utility room accessed from the kitchen and a cloakroom/storage accessed from the hallway. The extension would be 3.3m in height, have a flat roof and a high window on the north elevation. The façade would be painted tereylene to match the existing dwelling. There is an existing concrete wall along the northern boundary. The extension would appear to replace part of this boundary wall. It is not considered that the extension would severely impact residential amenity and the inclusion of fenestration along this boundary could help with creating a sense of enclosure for pedestrians at this location. This extension is considered acceptable.

The proposed extension is therefore considered to be acceptable.

Services, Drainage and the Environment

It is deemed that the same recommendation applies as per previous Water Services and Irish Water reports under SD22B/0008; they state no objection and shall comply by **condition** in the event of a grant.

Access and Parking

No changes are proposed to access or parking. The Roads Department have reviewed the proposed development and have no objection subject to conditions relating to access. Given that there are no changes proposed to this it is not considered necessary to include these conditions.

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Street Trees

The Public Realm Section have reviewed the proposed development and have no objection subject to a condition that existing street trees on the grass verge to the side (north) of the site are retained and protected during works. This is noted and should be **conditioned** as such.

Environmental Impact Assessment

Having regard to the modest nature of the 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 of an attic conversion, dormer window, change of roof profile and side extension.

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.

Other considerations

Development Contributions

Attic Conversion / Dormer Window	28.5 sq.m (non-habitable attic)
Proposed side extension:	11.2sq.m (granted under <i>SD22B/0008</i>)
Assessable Area:	Nil

SEA Monitoring Information

Building Use Type Proposed:	Attic Conversion / Dormer Window
Floor Area:	28.5 sq.m
Land Type:	Brownfield / Urban Consolidation
Site Area:	0.0236 hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development would not seriously injure the amenities

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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.

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. Drainage & Services
 - (a) All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal
 - (b) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
 - (c) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
3. Irish Water
All works shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure and Wastewater Infrastructure
REASON: In the interest of public health and to ensure adequate water and wastewater

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facilities.

4. (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) 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.

(d) 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

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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.

5. Protection of Street Trees in Grass Margins

The applicant/developer shall ensure that the existing street trees on the grass verge to the side (north) of the site are retained through the installation of suitable tree protection fencing in order to protect the existing trees during any construction works pertaining to retention of the gate. Commencement of development should not be permitted without adequate protective fencing being in place. This fencing, enclosing the tree protection area must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas indicated on plan.

REASON: To provide for the retention and protection of existing trees in the interests of visual amenity and biodiversity, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

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/0225

LOCATION: 432A, Orwell Park Green, Dublin 6W



Caitlin O'Shea,
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: 13/7/22



Eoin Burke, Senior Planner