

Comhairle Chontae Atha Cliath Theas

PR/0958/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0254 **Application Date:** 02-Jun-2022
Submission Type: New Application **Registration Date:** 02-Jun-2022

Correspondence Name and Address: Stuart O'Malley 5, Nugent Road, Churchtown,
Dublin 14

Proposed Development: Conversion of existing attic space comprising of:
Modification of existing roof structure: raising of
existing gable c/w window:

new access stairs and flat roof dormer to the rear:
construction of 18.5m² rear ground floor extension
inclusive of roof windows,

rear sliding door and all ancillary works.

Location: 12 Moy Glas Way, Lucan, Co Dublin K78 VX52

Applicant Name: Mr. Vasile Negru

Application Type: Permission

Description of Site and Surroundings

Site Description

The site is located along Moy Glas Way, within the established Moy Glas residential estate and contains a two-storey, semi-detached dwelling with a hipped roof profile. The streetscape of Moy Glas Way is characterised by semi-detached houses of similar form and appearance with a uniform building line. Rear dormer windows and changes in gable roof profiles are evident in the surrounding area.

Site Area

Stated as 0.023 Ha.

Proposal

Permission is sought for:

- Conversion of the existing attic space and provision of a rear dormer which projects approximately 2m out from the roof profile and spans an approximate width of 3.3m. The development also includes the addition of a rooflight in the rear pitch of the roof and a new window at attic level in the eastern elevation.

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- Associated modifications to the roof profile comprising the raising of the existing gable to form a half-hip with a ridge height of approximately 7.65m.
- A single storey extension to the rear which projects approximately 3m out from the rear elevation of the dwelling, spanning a width of approximately 5.8m (the full width of the dwelling) and has a flat roof profile with an approximate height of 3.3m. The flat roof profile of the single storey extension includes 2 No. rooflights (2.5m x 1m) and the rear elevation includes a centrally located glazed patio door.
- All ancillary site works above and below ground.

Zoning

The 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 report received at time of writing.

Irish Water - No report received at time of writing.

Roads Department – No objection.

Parks and Public Realm Department – No objection.

Irish Aviation Authority – No objection.

Screening for Strategic Environmental Assessment

No overlap indicated with relevant environmental layers.

Submissions/Observations /Representations

Last date for Submissions/Observations – 6th July 2022.

None received.

Relevant Planning History

Subject Site

No Planning History recorded for the subject site.

Adjacent Sites

SD20B/0349 – No. 10 Moy Glas Way, Lucan, Co. Dublin (directly abutting Western boundary of the subject site).

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Conversion of existing attic space comprising of: modification of existing roof structure; raising of existing gable c/w window; new access stairs and flat roof dormer to the rear. **SDCC Decision:** Grant Permission, subject to conditions.

Wider Surrounding Context

SD20B/0021: *12, Moy Glas Grove, Lucan, Co. Dublin* (to the southwest)

Proposal: Conversion of existing attic space comprising of modification of existing roof structure; raising of existing gable c/w window and 'Dutch' hip; new access stairs and flat roof dormer to the rear. **SDCC Decision:** Grant Permission, subject to conditions.

SD19B/0453: *25, Moy Glas Grove, Lucan, Co. Dublin* (to the southwest)

Proposal: Conversion of existing attic to non-habitable storage use; remodel of existing hip roof profile to half 'Dutch' hip to the side; provision of dormer to the rear. **SDCC Decision:** Grant Permission, subject to conditions.

SD19B/0454: *27, Moy Glas Grove, Lucan, Co. Dublin* (to the southwest)

Proposal: Conversion of existing attic to non-habitable storage use; remodel of existing hip roof profile to half 'Dutch' hip to the side; provision of dormer to the rear. **SDCC Decision:** Grant Permission, subject to conditions.

SD18B/0110 & ABP-302426-18: *9, Moy Glas Avenue, Lucan, Co. Dublin* (to the west)

Proposal: a) Existing hipped roofline altered to provide for attic conversion to include a dormer window and roof light to rear roof; (b) associated internal modifications & site work. **SDCC Decision:** Grant Permission, subject to conditions.

SD18B/0409: *7, Moy Glass Grove, Lucan, Co. Dublin* (to the south)

Proposal: (a) Attic conversion to include 'Dutch' hip to side and dormer to rear; (b) single storey flat roof extension to side; (c) associated internal modifications & site works. **SDCC Decision:** Grant Permission, subject to conditions.

SD17B/0261: *10, Moy Glas Court, Lucan, Co. Dublin* (to the southeast)

Proposal: Conversion of existing attic to non-habitable storage use; remodel of existing hip roof profile to half 'Dutch' hip to the side; provision of dormer to the rear. **SDCC Decision:** Grant Permission, subject to conditions.

Relevant Enforcement History

None recorded for the subject site.

Pre-Planning Consultation

None recorded.

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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 guidance on house extensions, including for porches and front 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.*

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.*

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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.*

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)

Planning Note

There are a number of discrepancies/deficiencies in the drawings provided by the Applicant:

- The Existing Elevations shown on Drawing No. 003 are incorrectly labelled, specifically the rear elevation is erroneously annotated as 'Existing Front Elevation'.
- Article 23(1)(c) of the Planning and Development Regulations states that *'the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate'*.

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It is noted that Finished Floor Levels have not been included on the site layout plans and floor plans. However, the principal dimensions are shown on the elevational drawings. [Our Emphasis]

The discrepancies and deficiencies in the drawings provided by the Applicant are not significant enough to prevent a complete assessment of the proposed development.

Assessment

The main issues for assessment concern the following:

- Zoning and Council policy.
- Residential and Visual Amenity.
- Drainage and Water Services.
- Appropriate Assessment.
- 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 and the South Dublin County Council House Extension Design Guide (2010).

Residential and Visual Amenity

Each element of the proposed development shall be assessed individually below, in the context of the potential impact on the residential and visual amenity of adjacent properties and the wider streetscape. The proposed development shall also be assessed against the relevant policy, including but not limited to the South Dublin County Development Plan 2016-2022 and the South Dublin County Council House Extension Design Guide (2010).

Ground Floor Extension to the Rear

The proposed development includes a single storey extension to the rear to accommodate an enlarged kitchen/dining room. The extension would project approximately 3m out from the rear elevation of the dwelling, spanning a width of approximately 5.8m (the full width of the dwelling) and has a flat roof profile with an approximate height of 3.3m. The flat roof profile of the single storey extension includes 2 No. rooflights (2.5m x 1m) and the rear elevation includes a centrally located glazed patio door.

The proposed single storey rear extension is located approximately 1.2m from the party boundary with Nos. 3 and 4 Moy Glas Court to the southeast and directly abuts the boundary

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with No. 10 Moy Glas Way to the northwest, which benefits from an existing rear extension. Having regard to the receiving context of the subject site, specifically the orientation of the rear gardens along Moy Glas Way it is considered that the proposed single storey rear extension would not impact the visual and residential amenity of adjacent properties.

Attic Conversion and Dormer Extension

The proposed development includes the conversion of the existing attic space and provision of a rear dormer which projects approximately 2m out from the roof profile and spans an approximate width of 3.3m. The development also includes the addition of a rooflight in the rear pitch of the roof and a new window at attic level in the eastern elevation.

The proposed dormer appears to be located at least 100mm below the ridge line of the existing dwelling and at least 3 No. tile courses above the eaves line, with a plaster finish to match the existing dwelling. This is acceptable to the Planning Authority.

It is noted that a window is proposed at attic level in the side (eastern) elevation at the top of 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**, should the Planning Authority be minded to Grant Permission for the proposed development.

To facilitate access to the converted attic, the proposal includes the alteration of the existing roof profile through the raising of the existing gable to form a half-hip with a ridge height of approximately 7.65m. In relation to alterations to roof profiles, the following extract from the South Dublin County House Extension Design Guide (2010) is of note:

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

Whilst the proposed alterations to the roof profile would not normally be acceptable to the Planning Authority, in this particular instance it is important to consider the receiving context of the subject site which includes the permitted (and recently constructed) development under SD20B/0349 at No. 10 Moy Glas Way which resulted in the alteration of the roof profile to a half-hip. In this regard, considering the receiving context, the proposed alteration to the roof profile is considered acceptable.

The proposed development provides for the conversion of the existing attic into an attic room with new access stairs. It is unclear from the development description of the Statutory Notices whether the conversion is proposed as a habitable or non-habitable space. For the purposes of the

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assessment of this Planning Application, an assumption has been made that the space is to be utilised as a non-habitable storage space. Should the Planning Authority be minded to Grant Permission, a **NOTE** should be attached stating that in order to use the attic for habitable space it must comply with the Building Regulations.

Drainage and Water Services

No report was received from the Drainage and Water Services Department or Irish Water at the time of writing this Report. However, having regard to the nature and scale of the proposed development, it is considered appropriate that standard **CONDITIONS** should be attached in the event that the Planning Authority is minded to Grant Permission for the proposed development.

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, provision of a dormer extension and a single storey rear 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	
Building Use Type Proposed	Floor Area (sq m)
Habitable Residential Extension (Single Storey Rear)	17.4 sq m
Previous Extensions	0 sq m
Assessable Area	0 sq m

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SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq m)
Residential Extension (Attic Conversion and Single Storey Rear Extension)	39.8 sq m
Land Type	Site Area (Ha)
Brownfield / Urban Consolidation	0.023 Ha

Conclusion

The proposed development of this planning application is in accordance with the provisions of the South Dublin County Development Plan 2016-2022 and the South Dublin County Council House Extension Design Guide (2010), and it is therefore considered that, subject to conditions, the proposed development would not seriously injure the amenities of the area and would be in accordance with the key principles of 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 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.

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2. Prior to the commencement of development the Applicant shall submit for the written agreement of the Planning Authority revised plan, sectional and elevational drawings demonstrating the following:
 - (i) The gable window on the eastern elevation shall be fitted with obscure glazing and such obscure glazing shall be maintained in perpetuity.
REASON: In the interests of protecting the visual and residential amenity of adjacent properties.
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) 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,

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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. Prior to the commencement of development the Applicant shall submit for the written agreement of the Planning Authority revised plan, sectional and elevational drawings demonstrating the following:
 - (i) A drawing in plan and cross sectional views clearly showing proposed drainage layout to include Sustainable Drainage Systems (SuDS) features for the development such as but not limited to Rain Gardens , Planter boxes with overflow connection to the public surface water sewer, Permeable Paving, Grasscrete, Green Roofs, Swales.
 - (ii) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (iii) 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.
 - (iv) 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.

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.

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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/0254

LOCATION: 12 Moy Glas Way, Lucan, Co Dublin K78 VX52

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: 27/7/22

Eoin Burke
Eoin Burke, Senior Planner