

# Comhairle Chontae Atha Cliath Theas

**PR/0992/22**

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

**Reg. Reference:** SD22B/0271      **Application Date:** 14-Jun-2022  
**Submission Type:** New Application      **Registration Date:** 14-Jun-2022

**Correspondence Name and Address:** Carol Forbes, 4bes Design Services 38, Larkfield Avenue, Lucan, Co. Dublin

**Proposed Development:** 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.

**Location:** 7, Woodberry, Finnstown Priory, Lucan, Co Dublin, K78 VY19

**Applicant Name:** Steven & Helen Morris

**Application Type:** Permission

(CS)

### **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 similar properties with a mainly uniform building line.

Site Area: 0.019753 Hectares.

#### **Proposal:**

The proposed development will consist of:

- Extension of existing hipped roof to form a 'Dutch' hip roof profile by raising the height of the side wall to create attic conversion and rear dormer.
- Proposed works measures c.25.66sq.m.

#### **Zoning:**

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

#### **Consultations:**

Surface Water Drainage – No report received

Irish Water – No report received

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

None received.

### **Relevant Planning History**

None for subject site.

#### *Adjacent Sites:*

**SD21B/0423:** 3, Woodberry, Finnstown Priory, Lucan, Co. Dublin.

Conversion of existing attic space comprising of modification of existing roof structure; raise existing gable c/w window; new access stairs and flat roof dormer to the rear.

Decision: **GRANT PERMISSION.**

### **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 2022 - 2028**

#### *Section 6.8.2 Residential Extensions*

##### *Policy H14 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 H14 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 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

#### *Section 12.5.3 Density and Building Heights*

#### *Section 12.6 Housing – Residential Development*

##### *Section 12.6.8 Residential Consolidation*

###### *Extensions*

- The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the *South Dublin County Council House Extension Guide* (2010) or any superseding standards.

#### *Section 12.6.7 Residential Standards*

#### *Section 6.7.5 Privacy and Security*

#### *Section 6.7.4 Internal Residential Accommodation*

#### *Section 12.10.1 Energy Performance in New Buildings*

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*Section 12.3.2 Appropriate Assessment*

*Section 12.3.3 Environmental Impact Assessment*

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

*Attic conversions and dormer windows:*

- Locate dormer windows as far back as possible from the eaves line (at least three tile courses).
- 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.
- Relate dormer windows to the windows and doors below in alignment, proportion, and character.

*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.***

***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 as follows:

- 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

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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***

The proposal would change the roof profile from hipped to 'Dutch' hip. It is noted that there are properties on the street that currently have this roof profile. The proposed 'Dutch' hip will match the same angle as the existing dwelling, will be clearly distinguishable from a full gable and will not be 'token' in nature.

The proposal would also introduce a rear dormer (non-habitable) with flat roof. 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 broadly centrally placed and would be set off the boundary with both adjacent properties and would not be visible from the front. There will be no undue overlooking. The proposed attic conversion would have a floor to ceiling height of less than 2.4m and is not considered to be habitable. The proposed dormer is considered acceptable in terms of visual and residential amenity.

The proposed new side window at attic level shall have a **condition** attached in the event of a grant that obscure glazing is used to mitigate against overlooking.

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

### ***Services and Drainage***

No reports have been received to date from Irish Water or Surface Water Drainage. Notwithstanding this in the event of a grant it is considered appropriate to attach standard drainage **conditions**.

### ***Screening for Appropriate Assessment (AA)***

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 a house 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.

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### ***Screening for Environmental Impact Assessment (EIAR)***

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.

### **Other Considerations**

#### ***Development Contributions***

- Attic conversion (non-habitable 25.66sq.m)
- 40sq.m exemption
- Assessable area is nil.

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential – attic conversion (extension)	25.66
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.019753

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

### **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 2022 - 2028 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 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.  
(c) Drainage - Irish Water.  
(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.  
(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.  
(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.  
REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.  
(d) Minimise Air Blown Dust.  
During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This 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.

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(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.

3. Glazing on attic side elevation.

The attic level window on the side (north) elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.

**REASON:** In the interest of residential amenity.

**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

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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/0271**

**LOCATION: 7, Woodberry, Finstown Priory, Lucan, Co Dublin, K78 VY19**

*jjohnston*  
**Jim Johnston,**  
**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:**

8/8/22

*Eoin Burke*  
**Eoin Burke, Senior Planner**