

# Comhairle Chontae Atha Cliath Theas

**PR/0993/22**

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

**Reg. Reference:** SD22B/0272      **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 dormer to the rear.

**Location:** 2, Finnsgrrove, Finnstown Cloisters,, Lucan, Co Dublin, K78 WE08

**Applicant Name:** Noel & Helen Flynn

**Application Type:** Permission

(AOCM)

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

Site Area: stated as 0.021825 hectares.

### **Site Description:**

The site contains a two-storey, semi-detached house in a cul-de-sac of similar dwellings, overlooking an area of green public open space, on Finnsgrrove. The surrounding area is predominantly residential in nature. The house appears to have previously been extended to the rear at ground floor level.

### **Proposal:**

**Permission** is sought for the following:

- Conversion of existing attic space and provision of a rear dormer
- Alterations to roof profile to provide a Dutch hip and additional gable window
- New access stairs

### **Zoning:**

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

### **Consultations:**

Water Services – No response received.

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### **SEA Sensitivity Screening**

Indicates no overlap with relevant environmental layers.

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

Submission expiry date – 18 July 2022

1 no. submission was received, summarised to include the following:

- Consider works to no. 2 Finnsgrrove may cause overshadowing of existing solar installation at no. 1 Finnsgrrove

### **Relevant Planning History**

None recorded for subject site.

### **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**

*Chapter 4 Green Infrastructure*

*Section 4.1 Methodology*

*GI1 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.*

*Section 4.2.1 Biodiversity*

*GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.*

*Section 4.2.2 Sustainable Water Management*

*GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

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### *Section 6.8.2 Residential Extensions*

*Policy H14: Support the extension of existing dwellings subject to the protection of residential and visual amenities.*

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

### *Chapter 12 Implementation and Monitoring*

#### *Section 13.5.8 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.*

### **Relevant Government Policy & Guidelines**

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

***Regional Spatial and Economic Strategy, Eastern & Midlands Regional Assembly, 2019.***

***Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).***

***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 DoEHLG, 2009.***

### **Assessment**

The main issues for assessment concern the following:

- Zoning and Council Policy
- Residential and Visual Amenity
- Services, Drainage and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

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### **Zoning and Policy**

South Dublin County Development Plan 2022 - 2028

The site is subject to zoning objective 'RES' – *'To protect and/or improve residential amenity'*  
A house extension (residential development) is permitted in principle under this zoning objective, subject to assessment against the relevant policies, objectives and standards set out under the current Plan.

### **Residential and Visual Amenity**

The proposal comprises the provision of a flat roof rear dormer and alterations to the existing hipped roof to provide a 'half-hip'. A roof plan has not been provided and should be requested by **condition**.

The half-hip proposed is considered acceptable. The dormer would have a flat roof, with a window located on the rear elevation to match existing fenestration. There would be a separation of approximately 22m between the dormer and the dwelling to the rear. In this regard, it is not considered that there would be any harmful impacts as a result of overlooking.

An internal floor to ceiling height of approximately 2m would be achieved. The applicant should note that to be used as a habitable room, all building regulations must be complied with.

A submission has been received raising concerns about potential overshadowing of solar panels on the neighbouring roof. Given the scale of the dormer, the distance to the site boundary, and the orientation of the dwelling, it is not considered that there would be a harmful level of overshadowing of the solar panels.

Based on the above, the principle of the dormer and roof alterations is considered acceptable.

### **Services, Drainage and the Environment**

Water Services have not provided a response to the development to date. Given the development relates to an attic extension and conversion at an existing dwelling, it is not considered that there will be any impacts in relation to surface water or Irish Water infrastructure.

### **Screening for Appropriate Assessment**

The subject site is not located within nor within close proximity to a European site. The proposed development is on Finnsgrrove, an established residential area. The development comprises an attic conversion, dormer extension and associated works.

Having regard to:

- the small residential scale of the development,
- the location of the development in an established urban area, and
- the consequent absence of a pathway to the European site,

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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.

### **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.

### **Other Considerations**

#### **Development Contributions**

Dormer and attic conversion: 32.44 sq.m (non-habitable)

Assessable Area: Nil

#### **SEA Monitoring Information**

Building Use Type Proposed: Residential Extension

Floor Area: 34.22 sq.m

Land Type: Urban Consolidation

Site Area: 0.021825 Hectares.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 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 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 proposal would be consistent with Council policy in relation to extensions to dwelling houses.

### **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**

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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.

### **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

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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:

- 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.

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 is advised that in the event of encroachment or oversailing of

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adjoining property, the consent of the adjoining property owner is required.

NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

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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**REG. REF. SD22B/0272**

**LOCATION: 2, Finnsgrrove, Finntown Cloisters,, Lucan, Co Dublin, K78 WE08**

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