

Comhairle Chontae Atha Cliath Theas

PR/1051/22

Record of Executive Business and Chief Executive's Orders

Reg. Reference: SD22B/0287 **Application Date:** 22-Jun-2022
Submission Type: New Application **Registration Date:** 22-Jun-2022

Correspondence Name and Address: Kevin Tiernan 19, Aranleigh Gardens, Rathfarnham, Dublin 14

Proposed Development: Attic conversion for storage with two dormer windows to the rear. Three Velux windows to the front. Raised gable to the side.
Retention for extra height of timber fence to the front and side. Single storey extension to the front. First floor extension to the side. New pergola structure to the rear.

Location: 55, Dodder Park Road, Rathfarnham, Dublin, D14 XE92

Applicant Name: Brian O'Malley

Application Type: Permission and Retention

(NM)

Description of Site and Surroundings:

Site Area

Stated as 0.035Hectares.

Site Description

The property is located in a residential estate off the Dodder Park Road and within close proximity to the River Dodder. The property is a semi-detached, 2 storey dwelling with a hip pitched roof. The area is characterised by units of similar architectural design with a relatively uniform building line.

Proposal:

The development will consist of:

- Attic conversion for storage with two dormer windows to the rear. Three Velux windows to the front. Raised gable to the side.
- Retention for extra height of timber fence to the front and side. Single storey extension to the front.
- First floor extension to the side.
- New pergola structure to the rear.
- Total area of works is 55sqm.

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Zoning:

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

Consultations:

Irish Water - No report received

Water Services – No report received

SEA Sensitivity Screening

Overlaps with SFRA B.

Submissions/Observations /Representations

None.

Relevant Planning History

Subject Property

SD18B/0306 – **Permission Granted** for retention of single storey extension to side & rear of existing dwelling incorporating conversion of existing garage to habitable room and all associated site works.

Adjacent Properties

SD22B/0078 - 2, Dodder Park Road, Dublin 14 – **Permission Granted** for the provision of 22.5sq.m first-floor extension to the side over existing converted garage, with new bedroom. Extended roof to be pitched with finishes and levels to match existing and a 17sq.m, single storey kitchen extension to the rear.

SD21B/0537 - 79, Dodder Park Road, Dublin 14 – **Permission Granted** for side and rear dormer attic extension for study/office space to existing dwelling roof and all associated site works.

SD21B/0010 - 81 Dodder Park Road, Rathfarnham, Dublin 14 – **Permission Granted** for part single storey extension and part two storey extension to the front (south), first floor extension to the side and associated internal alterations. First floor extensions will have extended hipped roof over, ground floor extension and porch will have a pitched roof over. Roof attic conversion with dormer to rear and 3 new rooflights to front and side of roof. New render insulation finish to existing external walls. Widening of front entrance opening, provision of new gates, new fence to east boundary of front garden and all associated site works.

SD20B/0498 - 39, Dodder Park Road, Rathfarnham, Dublin 14 – **Permission Granted** for pitched roof side dormer window with obscure glazing, alterations to existing roof and a flat roof rear dormer, all to existing semi-detached two storey dwelling with associate attic conversion.

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Relevant Enforcement History

S8186 - Raising of boundary wall-front – Live File.

Pre-Planning Consultation

None recorded.

Relevant Policy in South Dublin County Council Development Plan 2022 - 2028

6.8.2 Residential Extensions

Policy H14: Residential Extensions 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).

Policy GI1: Overarching

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 12.4.2 Development Management and Green Infrastructure

All development proposals shall be accompanied by a Green Infrastructure Plan, which will normally be submitted as part of the suite of Landscape Plans that are required for a development. Plans shall include the following:

- *Site location plan showing the development site in the context of the wider GI as shown on the Council's GI Plan for the County;*
- *Site survey and analysis, identifying existing GI Infrastructure and key assets within the site;*
- *Indicate how the development proposals link to and enhance the wider GI Network of the County;*
- *Proposed GI protection, enhancement and restoration proposals as part of the landscape plan, where appropriate, for the site;*
- *Proposals for identification and control of invasive species.*

Regardless of development size or type, applicants must submit an overall site summary quantifying and detailing the following:

- *tree and hedgerow removal;*
- *tree and hedgerow retention;*
- *new tree and hedgerow planting.*

This information will be submitted in a digital format agreed with the Council to allow amalgamation and reporting on tree and hedgerow cover within the County over time.

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

Side Extensions

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.*

Attic conversions and dormer windows

- *Use materials to match the existing wall or roof materials of the main house.*
- *Meet Building Regulation requirements relating to fire safety and stairs in terms of headroom on stairs and means of escape.*
- *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 three tile courses).*
- *Relate dormer windows to the windows and doors below in alignment, proportion and character.*
- *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.*
- *Avoid dormer windows that are over dominant in appearance or give the appearance of a flat roof.*

Front extensions

- *Keep the extension simple and complementary to the style of the house by reflecting the style and details of the main house, e.g., window location, shape, type, proportion and sill details.*
- *Reflect the roof shape and slope of the main house.*
- *Match or complement the materials used in the main house.*
- *Try to maintain a minimum driveway length of 6m.*
- *Avoid extensions that are dominant or overlarge in relation to the scale and appearance of the house.*
- *Avoid building an extension more than 1.5m in front of the existing front wall of the house if there is a regular building line along the street.*

Overlooking and loss of privacy

- *Where a new window could result in overlooking or loss of privacy to neighbouring properties, consider alternative design solutions (but always ensure the design complies with necessary fire regulations)*
- *reposition the window so it is not facing directly into a window in the adjoining property,*
- *insert a high-level window with a sill level of 1.7m or higher above the internal floor level of the room,*

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- *use angled windows with directional views*
- *if the window is at ground floor level, provide a fence or wall to screen it.*

Relevant Government Guidelines

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment 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, (2008).

Quality Housing for Sustainable Communities: Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Assessment

The main issues for assessment are

- Zoning and Council policy,
- Residential and Visual amenity
- Drainage
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

A development comprising of a first-floor side extension, front extension, attic conversion with rear dormers and rooflights, pergola and retention of a boundary fence would be consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan **2022-2028** and the House Extension Design Guide.

Residential and Visual Amenity

Front and First Floor Side Extension

The existing side extension is set back from the main building line of the dwelling, and it is proposed that this is extended out to be flush with the building line which would be acceptable. The length of the driveway would also remain at approximately 11.3m which is consistent with the House Extension Design Guide.

The proposed development also requires a first-floor extension over the existing side extension that would also be flush with the building line to the front. The ground floor side extensions with the neighbouring dwelling to the east are attached and the proposed distance between the first floors is approximately 2.7m which would not be overbearing. There appears to be no window on the eastern gable elevation which ensure no adverse overlooking of the neighbouring property to the east. The additional window to the front at ground and first floor levels would not be out of keeping with the existing fenestration or the established architectural character of the area and is therefore appropriate.

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The materials for the proposed front and first floor extensions will match that of the existing dwelling and overall, would not seriously injure the visual or residential amenities of the area.

Attic Conversion, Rear Dormers, Change in Roof Type and New Rooflights

The proposed development incorporates two flat roofed dormer windows to the rear (north) of the dwelling. Both are set appropriately below the ridgeline and above the eaves as well as being set in an appropriate amount from the attached unit to the west. Two dormers are a suitable design treatment as one large dormer would give the appearance of a flat roof. The proposed dormer windows are not overbearing and would not lead to substantial overlooking and are therefore acceptable.

The attic conversion will have an internal floor to ceiling height of 2.4m which has been indicated as use for storage which is acceptable.

The existing roof is a full hip pitched roof and it is proposed that the gable wall to the east is raised and a smaller hipped roof is developed. The proposed roof is somewhat out of character for the area but there are examples of similar developments in the immediate vicinity and it would be visually acceptable.

The proposed new rooflights to the front (southern elevation) of the property would not lead to substantial overlooking and are visually acceptable.

Pergola and Retention of Boundary Fence

The proposed Pergola appears to be an open timber structure with an open roof that is not glazed or enclosed which **should be confirmed** by the applicant by condition prior to development in the event of a grant of permission. The pergola proposal projects 3m from the rear building line and approximately 2.7m in height is set back appropriately and would not be significantly injurious to the amenities of the adjacent properties east or west of the site. Although pergolas are not prevalent in the immediate area in this instance it is considered that the proposed pergola would not be visually obtrusive.

No undue issues of overshadowing are envisaged. The minimum private open space requirement is comfortably achieved and considered to provide sufficient residential amenity for future occupants and therefore would be consistent with the Development Plan provisions.

The boundary fences to be retained to the front boundary both south and east is 1.9m in height which is not consistent with the provisions of the Development Plan and therefore retention permission should be refused with a maximum height of 1.2m instated.

Overall, the proposed development is **acceptable subject to conditions**.

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Drainage

There was no report received from Water Services or Irish Water at the time of writing, but it is considered appropriate that **conditions** relating to surface water drainage solutions and the inclusion of SuDS etc are applied. The application site is not located near any mains and an acceptable distance from the River Dodder.

Green Infrastructure

The subject site is located within Primary GI Corridor 1 (Dodder River Corridor), as per figure 4.4 of the County Development Plan. Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required as there will be no removal of existing hedgerows, grassed areas or trees but a full assessment of the Sustainable urban Drainage Systems is required, and a **condition** should be attached in the event of a grant of permission.

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 a first-floor side extension, front extension, attic conversion with rear dormers and rooflights and retention of a boundary fence.

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.

Environmental Impact Assessment (EIAR)

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.

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Development Contributions

Development Contributions Assessment Overall Quantum

Proposed Extension:	55sqm
Proposed Habitable Area:	26.56sqm
Previous Extension:	44.8sqm
Assessable Area:	26.56sqm

SEA Monitoring Information

Building Use Type Proposed:	
Floor Area:	55sqm
Land Type: Urban Consolidation.	
Site Area:	0.035Hectares.

Conclusion

Proposed Development for Permission

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 the 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.

Proposed Development for Retention

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 for retention** (Retention for extra height of timber fence to the front and side) it is considered that the proposed development would seriously injure the amenities of the area or of property in the vicinity and would, therefore, not be in accordance with the proper planning and sustainable development of the area and it is recommended retention **be refused**.

Recommendation

I recommend that Permission be Granted for Attic conversion for storage with two dormer windows to the rear. Three Velux windows to the front. Raised gable to the side. Single storey extension to the front. First floor extension to the side. New pergola structure to the rear subject to the Conditions/Reasons set out in the First Schedule hereto and that Permission be Refused for the Retention for extra height of timber fence to the front and side for the Reason(s) set out in the Second Schedule hereto.

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FIRST 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. Height of Timber Fence
The height of the timber fence to the front of the property (south and east) shall have a maximum height of 1.2m.
REASON: In the interest of visual and residential amenity of the area.
3. Sustainable Urban Drainage Systems (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, for the written agreement of the Planning Authority. The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:
 - Rain Gardens , Planter boxes with overflow connection to the public surface water sewer.
 - Permeable Paving
 - Grasscrete
 - Green Roofs,
 - Rain gardens
 - Swales
 - Permeable Paving
 - Grasscrete
 - Channel Rills
 - Planter Boxes water butts
 - Other such SuDSThe applicant should reference the SDCC Sustainable Drainage Explanatory Design & Evaluation Guide prior to submission.
REASON: To ensure the adequate provision of SuDS
4. Drainage - Surface Water.
The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:
 - (a) Fully detailed foul and surface water drainage plans for the proposed development as

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approved showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or Irish Water,

(b) 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.

(c) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

(d) 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.

The revised plans shall provide for a soakaway to be located within the curtilage of the property and this 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: 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.

5. Pergola Roof

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

- Written confirmation of the proposed materials to be used for the roof of the pergola.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

6. (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.

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(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.

(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

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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.

7. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2,775.25 (two thousand seven hundred and seventy five euros and twenty five cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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: 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

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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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LOCATION: 55, Dodder Park Road, Rathfarnham, Dublin, D14 XE92

SECOND SCHEDULE

Reason(s)

1. The timber fence subject to retention at a height of 1.9m would be significantly out of character with the pattern of development in the area and would seriously injure the amenities of property in the vicinity. Thus the proposed development would contravene the South Dublin County Development Plan 2022 - 2028 zoning objective for the area which seeks 'to protect and/or improve residential amenity' and would not be in accordance with the proper planning and sustainable development of the area.


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LOCATION: 55, Dodder Park Road, Rathfarnham, Dublin, D14 XE92



Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning and Development Act 2000 (as amended) to Grant Permission for Attic conversion for storage with two dormer windows to the rear. Three Velux windows to the front. Raised gable to the side. Single storey extension to the front. First floor extension to the side. New pergola structure to the rear subject to the Conditions/Reasons set out in the First Schedule hereto and that Permission be Refused for the Retention for extra height of timber fence to the front and side for the Reason(s) set out in the Second Schedule is hereby made.

Date: 10/8/22



Eoin Burke, Senior Planner