

# Comhairle Chontae Atha Cliath Theas

**PR/1069/22**

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

**Reg. Reference:** SD22B/0310      **Application Date:** 28-Jun-2022  
**Submission Type:** New Application      **Registration Date:** 28-Jun-2022  
**Correspondence Name and Address:** Liam Baker 19, Aranleigh Gardens, Rathfarnham, Dublin 14  
**Proposed Development:** Retention for rear dormer window and side dormer window.  
**Location:** 25, Woodstown Gardens, Ballycullen, Dublin 16  
**Applicant Name:** Pratibha Kapoor  
**Application Type:** Retention

(COS)

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

Site Area: stated as 0.0225 Hectares on the application form.

Site Visit: 20<sup>th</sup> of July 2022.

### **Site Description**

The subject site is located near the end of the cul-de-sac Woodstown Gardens within an existing housing estate in Ballycullen. The site consists of a two storey, semi-detached dwelling with a hipped roof. The dwelling has existing rear and side dormer extensions, which are the subject of this retention application. The streetscape consists of housing of a similar form and character.

### **Proposal**

**Retention** permission is being sought for rear and side dormer windows.

### **Zoning**

The subject site is zoned 'RES': *'To protect and/or improve residential amenity'* under the South Dublin County Development Plan 2022-2028.

### **Consultations**

Water Services	No report received at the time of writing this report.
Irish Water	No report received at the time of writing this report.
Roads Department	No objections subject to conditions.

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SEA Sensitivity Screening – the site overlaps with the following aviation related layers:

- Bird Hazards
- Outer Horizontal Surfaces for Casement
- Approach Surfaces for Casement

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

None received.

### **Relevant Planning History**

#### ***Subject site***

Revisions to previous permission for residential development, Ref S95A/0436 to include for alternative house types on 162 sites numbered 17-29, 31-34, 36-43, 54-114, 116-119, 121-176, 613-624 and 627-630, including minor revisions to layout at sites numbered 73 to 88, 617 and 618 all to be two storey semi-detached (except for sites numbered 17, 70, 89-91, 94-96, 159-164 and 629 to be two storey detached). **Permission granted.**

#### ***Adjacent and surrounding sites***

22 Woodstown Parade (to the rear of subject site)

SD07B/0909 & PL06S.227600

Demolition of existing double garage to side and replace with new 111sqm double garage with dormer roof and two dormer windows to front. **Permission refused by SDCC and granted by ABP.**

SD05A/0426

Demolition of existing detached garage (21sq.m.) and construction of a two storey detached house (120sq.m.) at side of existing house. **Permission refused.**

SD04B/0040

Two storey extension to side and single storey extension to rear of existing house. **Permission granted.**

20 Woodstown Parade

SD17B/0347

Build-up of existing hip in roof to side of roof into 'Dutch' hip with window in gable wall at attic level. Attic conversion with dormer roof with window and 'Velux' roof light in rear slope of roof. **Permission granted.**

18, Woodstown Parade

SD21B/0031

Build-up of existing hip in roof to side of roof into 'Dutch' hip with window in gable wall at attic level; attic conversion with dormer roof with window in rear slope of roof. **Permission granted.**

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14 Woodstown Parade  
SD11B/0379

Attic conversion incorporating two roof lights to rear and dormer window to side elevation.  
**Permission granted.**

6 Woodstown Parade  
SD08B/0492

Demolition of existing single storey extension & build new single storey extension to rear & convert existing attic to storage room with alterations to roof including dormer window to rear.  
**Permission granted.**

3 Woodstown Parade  
SD15B/0083

Build-up of existing hip in roof to side of roof into 'Dutch' hip with window in gable wall at attic level; attic conversion with dormer roof with window & 'Velux' roof light in rear slope of roof.  
**Permission granted.**

### **Relevant Enforcement History**

None identified in APAS.

### **Pre-Planning Consultation**

None identified in APAS.

### **Relevant Policy in South Dublin County Council Development Plan 2022 – 2028**

*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.*

*Policy GI2: 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.*

*Policy GI4: Sustainable Drainage Systems*

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### *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.*

### *Policy QDP7: High Quality Design – Development General*

*Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.*

### *Policy QDP11: Materials, Colours and Textures*

*Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.*

### *Policy H11: Privacy and Security*

*Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.*

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

### *Policy E3: Energy Performance in Existing and New Buildings*

*Support high levels of energy conservation, energy efficiency and the use of renewable energy sources in new and existing buildings including the retro fitting of energy efficiency measures in the existing building stock in accordance with relevant building regulations, national policy and guidance and the targets of the National and South Dublin Climate Change Action Plans.*

### *12.3.1 Appropriate Assessment*

### *12.3.2 Ecological Protection*

### *12.3.3 Environmental Impact Assessment*

### *12.4.1 Green Infrastructure Definition and Spatial Framework*

### *12.4.2 Green Infrastructure and Development Management*

### *12.5 Quality Design and Healthy Placemaking*

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*12.5.2 Design Considerations and Statements*

*12.5.3 Density and Building Heights*

*12.6 Housing - Residential Development*

*12.6.7 Residential Standards*

*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.*

*12.7.4 Car Parking Standards*

*Table 12.26: Maximum Parking Rates (Residential Development)*

*12.11.1 Water Management*

### **South Dublin County Council House Extension Design Guide (2010)**

The House Extension design guide contains the following guidance on house extensions, including dormer windows.

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.*

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.*
- Do not obscure the main ridge and eaves features of the roof, particularly in the case of an extension to the side of a hipped roof.*
- Avoid extending the full width of the roof or right up to the gable ends – two small dormers on the same elevation can often be a suitable alternative to one large dormer.*
- Avoid dormer windows that are overdominant in appearance or give the appearance of a flat roof.*

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*- Avoid the use of flat-roofed dormer window extensions on houses with hipped rooflines.*

### **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).*

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;
- Green Infrastructure,
- Water Management;
- Environmental Impact Assessment; and
- Appropriate Assessment.

### ***Zoning and Council Policy***

The proposed development is consistent in principle with zoning objective 'RES': *'To protect and/or improve residential amenity'*. New residential extensions to existing dwellings are permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010.

### ***Visual and Residential Amenity***

The proposed development would provide for the **retention** of a half-hip side dormer extension and a pitched roof rear dormer extension.

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The House Extension Design Guide 2010 recommends that in the case of a dormer window extension to a hipped roof, to ensure it sits below the ridgelines of the existing roof. The side dormer extension extends from the roof ridgeline of the existing roof and would not be set below this. However, considering that the extension has a half-hip and half-hip roof extensions have been permitted in the immediate vicinity of the site, the extension is considered to be visually acceptable.

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 rear dormer extension is sufficiently setback from the roof ridge and eaves. This dormer extension is also sufficiently setback from the sides of the roof. It's location on the roof is similar to what has been permitted in the immediate area.

The side dormer extension is approx. 1.7m from existing side dormer extension on No. 23 Woodstown Gardens (not shown on submitted drawings). The window on the side dormer should be **conditioned** to have obscure glazing to address overlooking. The rear dormer extension is sufficiently setback from the site boundaries and neighbouring dwellings. It is therefore not considered that the dormer windows would create unacceptable levels of overlooking to neighbouring properties or gardens.

The attic floor level has an approx. floor to ceiling height of 2.1m. The application does not provide for an attic conversion. A note should be attached in the event of a grant of permission stating that in order to use this floor level for habitable space it must comply with the Building Regulations, as amended.

The materials and finishes match the existing house. This is considered to be in compliance with the House Extension Design Guide.

In summary, the proposed development is considered to generally comply with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and has an acceptable impact in terms of residential and visual amenity subject to conditions.

### ***Access and Parking***

The Roads Department have reviewed the proposed development and have no objection subject to conditions in relation to the vehicular access. No changes are proposed to the access or parking. It is therefore not considered necessary to attach these conditions in the event of a grant of permission.

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### ***Green Infrastructure***

The subject site is located on the edge of a Primary Green Infrastructure as identified on Figure 4.4: Green Infrastructure Map in the CDP and Figure A 4.1 in Appendix 4 of the CDP. The subject application provides for the retention of dormer extensions. Having regard to the nature and scale of the development it is considered that would be in accordance with GI1 Objective 4, GI2 Objective 4, GI4 Objective 1, and Section 12.4.2 of the CDP 2022-2028.

### ***Water Management***

No reports were received from Water Services or Irish Water. Standard conditions should apply in the event of a grant of permission.

### ***Screening for 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 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 applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves retention of dormer extensions.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced 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.

### **Development Contributions**

Retention of dormer extensions (non-habitable) 15sq.m

Assessable area = Nil

### **SEA monitoring**

Building Use Type Proposed: Residential

Floor Area: 15sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0225 Hectares.



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### **Conclusion**

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, 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.

### **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 Retention 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.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development to be in accordance with submitted plans and details.

The development shall be retained in accordance with plans, particulars and specifications lodged with the application, save as may be required by other conditions attached hereto.

REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.

2. Amendments - Glazing.

Within 6 month of the date of the grant of this permission, the window on the side dormer extension shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.

REASON: In the interest of residential amenity.

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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) 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.

(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

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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 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/0310**

**LOCATION: 25, Woodstown Gardens, Ballycullen, Dublin 16**

*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 Retention 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:**

22/8/22



**Eoin Burke, Senior Planner**