

# Comhairle Chontae Atha Cliath Theas

**PR/1099/22**

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

**Reg. Reference:** SD22B/0301      **Application Date:** 06-Jul-2022  
**Submission Type:** New Application      **Registration Date:** 06-Jul-2022

**Correspondence Name and Address:** Claire O'Neill, ONOR Design Carricknabrick House,  
Loughduff, Co Cavan, H12 VY66

**Proposed Development:** Permission for a dormer attic conversion to include  
an open plan store with access staircase, and all  
associated site works

**Location:** 88, Whitethorn Drive, Palmerstown, Dublin 22

**Applicant Name:** Richard and Jennifer Noone

**Application Type:** Permission

(AOCM)

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

Site Area: stated as 0.016 hectares.

### Site Description:

The application site contains a two storey, semi-detached house, located on Whitethorn Drive in a cul-de-sac of similar dwellings. The surrounding area is residential in nature.

### **Proposal:**

**Permission** is sought for the following:

- Attic conversion including flat roof rear dormer extension

### **Zoning:**

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

### **Consultations:**

Water Services – No report received at time of writing (18.08.22)

Irish Water – No report received at time of writing (18.08.22)

### **SEA Sensitivity Screening**

SEA monitoring indicates no overlap with relevant sensitive environmental layers

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

Submission expiry date – 9 August 2022

No submissions or observations received.

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### **Relevant Planning History**

None recorded for subject site.

### **Nearby development**

**SD11B/0154:** (1) Proposed lifting of existing Dutch Hip and extension of existing roof to gable wall; (2) construction of a dormer window to rear with attic conversion and 2 no. Velux windows to front. Permission granted subject to conditions omitting the provision of a full gable wall/pitched roof profile.

It is noted that several properties in the area have undertaken works to provide flat roof rear dormers that would not be in compliance with the House Extension Design Guide and have been constructed without the benefit of planning permission. These are not considered to set an appropriate precedent for the character of development in the area.

### **Relevant Enforcement History**

None recorded for subject site.

### **Pre-Planning Consultation**

None recorded for subject site.

### **Relevant Policy in South Dublin County 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).*

#### *Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)*

*Policy IE3: Surface Water and Groundwater*

*Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.*

#### *Chapter 12 Implementation and Monitoring*

#### *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.*

#### **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
- Green Infrastructure
- Water Supply and Wastewater
- 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**

##### Attic conversion and dormer extension

The property has an existing half-hip roof profile. A flat roof dormer would be located on the rear roof slope with 2 no. windows matching the dwellings existing fenestration. The dormer would be rendered to match the existing dwelling also. The dormer would almost extend the full width of the roof, up to the half-hip.

The house does not directly back onto neighbouring residences and therefore there would be no concerns regarding harmful overlooking. Given the location of the dormer within the roof slope it is not considered that there will be any impact in relation of overshadowing or loss of light to the adjoining dwelling.

Elevations and sections indicate that the dormer would extend up from the rear building line of the main dwelling. This would not be acceptable and is contrary to the House Extension Design Guide which states *'Locate dormer windows as far back as possible from the eaves line (at least three tile courses).'* In this regard, the applicant should be requested to submit revised plans, by **condition**, clearly setting the dormer back from the eaves by a minimum of 3 tile courses.

The House Extension Design Guide also states that dormers should be located *'below the ridge of the roof, even if the roof has a shallow pitch.'* The dormer appears to extend directly from the ridgeline of the roof but not above and this is acceptable.

As stated previously, it is noted that several dormers have been constructed in the area without the benefit of planning permission and contrary to the recommendations of the House Extension Design Guide. In this regard, there is not a precedent that has been set for such development to occur.

The principle of the attic conversion and dormer extension is acceptable, subject to **conditions**. The applicant should note that to use the attic space for habitable purposes all building regulations must be complied with.

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### **Green Infrastructure**

The subject site appears to be located along a Primary GI Corridor and Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028). The development would not increase the floorplate of the existing dwelling, as all works relate to an attic conversion and dormer extension. In this regard, there would be no impact to existing green infrastructure at the site.

### **Water Supply and Wastewater**

The development relates to an attic conversion and would not increase ground level development that might impact existing Irish Water infrastructure. In this regard, no impacts are anticipated to the Irish Water network as a result of this development.

### **Screening for Appropriate Assessment**

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

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,

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**

Proposed extensions (measured from drawings):

- Attic conversion (non-habitable): 27 sq.m

Assessable Area: Nil

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### **SEA Monitoring Information**

Building Use Type Proposed:	Residential extension
Floor Area:	27 sq.m
Land Type:	Urban Consolidation
Site Area:	0.016 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**

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. Amendments.  
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:  
Revised plans that incorporate all of the following amendments-

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(a)The dormer shall not be constructed on the back wall of the dwelling but shall be set back by a minimum of 3 tile courses from the eaves.

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

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-

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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 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/0301**

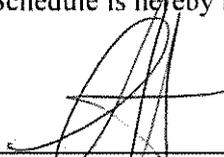
**LOCATION: 88, Whitethorn Drive, Palmerstown, Dublin 22**

  
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**Colm Maguire**  
**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:**

29/8/22

  
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**Colm Harte,**  
**Senior Executive Planner**