

Comhairle Chontae Atha Cliath Theas

PR/1236/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0359 **Application Date:** 09-Aug-2022
Submission Type: New Application **Registration Date:** 09-Aug-2022
Correspondence Name and Address: Liam Baker 19, Aranleigh Gardens, Rathfarnham, Dublin 14
Proposed Development: Garage conversion for extended living with new window to the front.
Location: 23, Earlsfort Rise, Lucan, Co. Dublin
Applicant Name: Patrick Boland
Application Type: Permission

(BC)

Description of Site and Surroundings

Site Area: stated as 0.0270 Hectares on the application form.
Site Visit: 28th September 2022.

Site Description

The subject site is located on a corner site in Earlsfort Rise in an existing housing estate in Lucan. The site consists of a two storey, semi-detached dwelling with existing garage to the side with matching roof type and render to the dwelling house and other dwellings in the estate. The streetscape consists of housing of a similar form and character.

Proposal

Permission is being sought for a garage conversion for extended living with new window to the front.

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

SEA Sensitivity Screening – No overlap indicated

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Submissions/Observations /Representations

None received.

Relevant Planning History

Subject site

None recorded for subject site.

Adjacent and surrounding sites

S00B/0039 - 21 Earlsfort Rise, Lucan, Co. Dublin (adjoining dwelling)

Single storey kitchen extension (26 sq.m) & associated site works to the rear.

Permission granted.

S01B/0145 - 19 Earlsfort Rise, Lucan, Co. Dublin.

2 storey extension at side and single storey at rear.

Permission Granted

S99B/0385 - 31 Earlsfort Rise, Lucan, Co. Dublin.

Construction of garage to side

Permission Granted

ED20/0045 - 4, Earlsfort Rise, Lucan, Dublin

Ground floor extension to rear.

Declared Exempt

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 G11: Overarching

G11 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 G13: Sustainable Water Management

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Protect and enhance the natural, historical, amenity and biodiversity value of the County's watercourses. Require the long-term management and protection of these watercourses as significant elements of the County's and Region's Green Infrastructure Network and liaise with relevant Prescribed Bodies where appropriate.

Accommodate flood waters as far as possible during extreme flooding events and enhance biodiversity and amenity through the designation of riparian corridors and the application of appropriate restrictions to development within these corridors.

Policy GI4: Sustainable Drainage Systems

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).

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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.

11.3 Flood Risk Management

11.3.1 Riparian Corridors

Policy IE4: Flood Risk

Ensure the continued incorporation of Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive and to promote a climate resilient County.

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

12.4.3 Riparian Corridors

Development within or affecting riparian corridors will be required to:

- Ensure that hydromorphological assessments are undertaken where proposed development is within lands which are partially or wholly within the Riparian Corridors identified as part of this Development Plan;*
- Demonstrate how the integrity of the riparian corridor can be maintained and enhanced having regard to flood risk management, biodiversity, ecosystem service provision, water quality and hydromorphology;*
- Promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site. This is a minimum and should be considered in light of the bullet points above;*
- Uncover existing culverts where appropriate and in accordance with relevant river catchment proposals, restore the watercourse to acceptable ecological standards for biodiversity wherever possible, improving habitat connection and strengthening the County's GI network.*

12.5 Quality Design and Healthy Placemaking

12.5.2 Design Considerations and Statements

12.5.3 Density and Building Heights

12.6 Housing - Residential Development

12.6.7 Residential Standards

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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 side extensions.

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.*

Side Extensions

- *Respect the style of the house and the amount of space available between it and the neighbouring property, for example:*
 - *if there is a large gap to the side of the house, and the style of house lends itself to it, a seamless extension may be appropriate;*
 - *if there is not much space to the side of the house and any extension is likely to be close to the boundary, an ancillary style of extension set back from the building line is more appropriate;*
 - *if the house is detached or on a large site or in a prominent location such as the corner of a street, it may be appropriate to consider making a strong architectural statement with the extension.*
- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.*
- *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.*
- *If no gap can be retained, try to recess side extensions back from the front building line of the main house by at least 50cm and have a lower roof eaves and ridge line to minimise the terracing effect. In the case of a first floor extension over an existing garage or car port that is*

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flush with the building line of the main house, the first floor extension should be recessed by at least 50cm.

- *Match the roof shape and slope of the existing house. In the case of houses with hipped roofs it can be particularly difficult to continue the ridge line and roof shape; however, it is more visually pleasing to do so if this will not result in a terracing effect with the adjoining house.*
- *Where the extension is to the side of a house on a corner plot, it should be designed to take into account that it will be visible from the front and side. The use of blank elevations will be unacceptable and a privacy strip behind a low wall, hedge or railings should be provided along those sections of the extension that are close to the public pavement or road.*
- *Avoid creating a terraced effect and awkward join between the rooflines of two adjacent properties if building up to the party boundary.*
- *Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.*
- *Do not incorporate blank gable walls where extensions face onto public footpaths and roads.*
- *The use of a 'false' roof to hide a flat roofed extension is rarely successful, particularly if visible from the side.*
- *Avoid locating unsightly pipework on side elevations that are visible from public view. Consider disguising or recessing the pipework if possible.*
- *Extending a hipped roof to the side to create a gabled end or half-hip will rarely be acceptable, particularly if the hipped roof is visually prominent and typical of other houses 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,*
- *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

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).

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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'*. The development of an extension or alteration to a dwelling is permitted in principle under the zoning objective subject to its design being in accordance with the relevant provisions in the Development Plan and 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 conversion of a single storey garage for extended living. The proposal relates to predominantly internal alterations and does not alter the height, form or footprint of existing dwelling and is therefore considered to be consistent with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010. The conversion would include the installation of a new window to the front of the garage replacing the existing c2.9m in width roller garage door. Two windows are proposed for the rear of the garage with one replacing a door which is proposed to be moved to the southern elevation of the garage. It is noted that the side elevation (south) drawings does not show the new proposed door. The corrected drawings are to be provided by way of **CONDITION** if the

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Planning Authority is minded to grant permission. No other external works are proposed to the garage. Internally the conversion will provide for a kitchen/living area approx. 28sqm.

The window proposed on the front (western) elevation would face the streetscape and therefore not result in any unacceptable levels of overlooking to neighbouring properties. The existing garage (proposed conversion) is sufficiently setback (c2m at widest and .4m at narrowest) from the site boundaries and neighbouring dwellings so as not to have significant overbearing or overshadowing impacts. The proposed door to the conversion located on the south side elevation accessing the proposed kitchen/living area will open onto a side path and perimeter boundary wall of approx. 1.8m in height. The applicant shall be requested by way of **CONDITION** on grant of permission to provide frosted or opaque glass windows with restricted openings in the side door.

The proposed windows to the rear of the conversion will have no negative impact of the overall amenity or privacy of the neighbouring dwellings and are deemed acceptable.

The roof matches the form and character of the existing house is not proposed to be altered and this is deemed to be acceptable and provides no issues to the planning authority.

In summary, proposed development would not create an unacceptable level of overlooking, is not overbearing and would not adversely impact residential amenity of the area.

Access and Parking

No changes to access or parking are proposed as part of the development. The Roads Department of the Council has reviewed the proposed development and have raised no objections.

Green Infrastructure

The subject application provides for no increase in the footprint of the subject house or garage on an established suburban residential site. The subject site is not located within a GI Corridor as identified on Figure 4.4: Green Infrastructure Strategy Map in the CDP. Having regard to the location, nature and scale of the development it is considered that would be in accordance with Policy Objectives GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the CDP 2022-2028.

Water Management

There was no report available from Water Services or Irish Water at time of writing. Irish Water maps indicate that the proposed development would not be located within an unacceptable distance of any existing Irish Water infrastructure. Given the size, scale and nature of the

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proposed development, it is considered appropriate that the 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 a garage conversion for extended living with a new window to the front.

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

Garage Conversion 28sqm

Previous Extension/Conservatory approx. 9.4sqm

Remaining area of 40sq.m exemption is 2.6sqm

Assessable area = Nil

SEA monitoring

Building Use Type Proposed: Residential conversion

Floor Area: 28sq.m

Land Type: Urban Consolidation.

Site Area: 0.0270 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 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 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. (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,

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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 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

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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. Amendments.

(a) Details of the side (south) elevation proposed door should be consistent with the ground floor layout plans.

(b) The proposed door on the south side elevation shall be permanently fitted with obscure glazing, and such obscure glazing shall be utilised in perpetuity.

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

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.

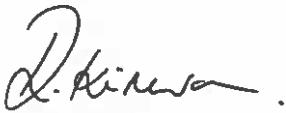
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REG. REF. SD22B/0359

LOCATION: 23, Earlsfort Rise, Lucan, Co. Dublin



**Deirdre Kirwan,
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: 3/10/22



Gormla O'Corrain, Senior Planner