

# Comhairle Chontae Atha Cliath Theas

**PR/1263/22**

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

**Reg. Reference:** SD22B/0367      **Application Date:** 16-Aug-2022  
**Submission Type:** New Application      **Registration Date:** 16-Aug-2022  
**Correspondence Name and Address:** Matthew Fagan 229, Clonliffe Road, Drumcondra, Dublin 3  
**Proposed Development:** Retention consisting of construction of a rooflight in the main roof to the front of the property; Permission consisting of construction of a dormer window in the main roof to the side of the property as well as the construction of a dormer window in the main roof to the rear of the property.  
**Location:** 4, Liffey Close, Liffey Valley Park, Lucan, Co. Dublin  
**Applicant Name:** Asif Syed  
**Application Type:** Permission and Retention

(NM)

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

#### **Site Area**

Stated as 0.0187 Hectares.

#### **Site Description**

The application site is located in Liffey Close, a residential estate in Lucan off the Fonthill Road. The property is a semi-detached, 2 storey unit 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:

- Retention consisting of construction of a rooflight in the main roof to the front of the property.
- Permission consisting of construction of a dormer window in the main roof to the side of the property as well as the construction of a dormer window in the main roof to the rear of the property.
- Total area of works 12sqm

#### **Zoning:**

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

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### **Consultations:**

*Irish Water* - No report received at time of writing.

*Water Services* – No report received at time of writing.

*Roads Department* – No objections.

### **SEA Sensitivity Screening**

No overlap with relevant layers.

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

None

### **Relevant Planning History**

#### **Subject Property**

None

#### **Adjacent sites:**

SD22B/0047 – 52, Liffey Close, Liffey Valley Park – **Permission Granted** for conversion of existing attic space comprising of modifications of existing roof structure, raising of existing gable c/w window and 'Dutch' hip, new access stairs and flat roof dormer to rear

SD20B/0521 – 6, Liffey Close, Liffey Valley Park – **Permission Granted** for conversion of existing attic space comprising of modification of existing roof structure, side dormer with A-style roof c/w window; new access stairs and 2 roof windows to the rear.

SD21B/0308 – 44, Liffey Way, Liffey Valley Park - **Permission Granted** for Conversion of existing attic space comprising of modification of existing roof structure; raise existing gable c/w window and 'Dutch' hip; new access stairs; 2 roof windows to the rear.

### **Relevant Enforcement History**

None recorded.

### **Pre-Planning Consultation**

None recorded.

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### **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 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.*

*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.*

*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.*

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

#### **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.*

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### 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. Provide frosted or opaque glass windows with restricted openings in bathrooms, halls and stairways.*
- *Design the extension layout so rooms that might overlook neighbouring properties are corridors / bathrooms / stairways etc.*
- *Arrange the internal layout of habitable rooms within an extension so that windows will allow a reasonable level of light into the rooms but won't directly overlook windows to habitable rooms or the private patio or sitting-out area of neighbouring properties.*
- *As a rule of thumb, ensure there is at least 22m between directly opposing windows at first floor level in the rear elevation of properties.*
- *Do not provide balconies and roof terraces unless they are specifically designed to avoid the potential for overlooking to neighbouring properties, for example with the use of solid or opaque enclosures.*
- *Do not use opaque or frosted glass in windows to habitable rooms.*

### **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).

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### Assessment

The main issues for assessment are

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

### *Zoning and Council Policy*

A development comprising of retention of a rooflight in the main roof and construction of a dormer window in the main roof to the side of the property as well as the construction of a dormer window in the main roof to the rear of the property 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*

#### *Residential*

The proposed side dormer faces directly on to the side dormer window of the neighbouring dwelling to the northwest. The proposed side dormer provides access to the converted attic space and the window will provide natural light to the stairwell, but it should be **conditioned** that this window is obscured in order to comply with the House Extension Design Guide. The proposed development would not lead to excessive overlooking or overshadowing and would not seriously injure the residential amenity of the area.

The proposed rear extension is appropriately set in from the attached dwelling to the southeast. It would not lead to excessive shadowing or overlooking and is therefore acceptable.

The rooflight proposed for retention is acceptable.

#### *Visual*

The proposed side dormer extension to the northwest of the property mirrors that of the neighbouring property and it should be **conditioned** that the dormer is positioned at least three tile courses above the eaves.

The materials of the proposed dormers are sympathetic to the established architectural design of the area and is therefore acceptable. The development of two dormers on separate roof elevations in combination would not be considered visually injurious in this instance as the rear dormer is positioned so as not be visible from the street.

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

### *Drainage*

No report was received from Water Services or Irish Water at the time of writing, but it is considered appropriate that **conditions** should apply in the event of a grant of permission.

### *Roads*

The roads department have no objections to the proposed development.

### *Green Infrastructure*

The subject application provides for a relatively small increase in the footprint of the subject house on an established suburban residential site. The site is not located within a Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028).

Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required.

### *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 the retention of a rooflight in the main roof and construction of a dormer window in the main roof to the side of the property as well as the construction of a dormer window in the main roof to the rear of the property.

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*

<b>Planning Reference Number</b>	SD22B/0367
<b>Summary of permission granted &amp; relevant notes:</b>	2 Residential Dormer Extensions, Non Habitable Attic Conversion, - 12sqm. No previous extension.
<b>Are any exemptions applicable?</b>	Yes
<b>If yes, please specify:</b>	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
<b>Is development commercial or residential?</b>	Residential
<b>Standard rate applicable to development:</b>	104.49
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€104.49
<b>Area of Development (m2)</b>	12
<b>Amount of Floor area, if any, exempt (m2)</b>	40
<b>Total area to which development contribution applies (m2)</b>	0
<b>Total development contribution due</b>	€0.00

### **SEA Monitoring Information**

Building Use Type Proposed:

Floor Area:

12sqm

Land Type: Urban Consolidation.

Site Area:

0.0187Hectares.

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### **Conclusion**

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028, the proposed rooflight for **retention** is considered acceptable subject to conditions and would therefore be in accordance with the proper planning and sustainable development of the area.

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028 and the overall design and scale of the **proposed side and rear dormers**, 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.

### **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 & Grant 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 in accordance with submitted plans and details.  
The development shall be retained 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 - Glazing.  
The following amendment to the design shall be carried out:  
The window on the dormer of the side (northwestern) elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.  
REASON: In the interest of residential amenity.
3. Dormer Design  
The dormers shall be set at least three tile courses above the eaves.



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REASON: In the interest of the visual amenity of the area.

4. (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: 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.

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NOTE: Notwithstanding any grant of planning permission; if an applicant requires 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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**REG. REF. SD22B/0367**

**LOCATION: 4, Liffey Close, Liffey Valley Park, Lucan, Co. Dublin**

*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 & Grant 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:** 10/10/22

  
**Gormla O'Corrain,  
Senior Planner**