

# Comhairle Chontae Atha Cliath Theas

**PR/1303/22**

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

**Reg. Reference:** SD22B/0378      **Application Date:** 23-Aug-2022  
**Submission Type:** New Application      **Registration Date:** 23-Aug-2022

**Correspondence Name and Address:** ACAD 42, St. Domhnach's Well, Sutton, Dublin 13

**Proposed Development:** To convert attic space to storage space with dormer window to the north facing roof elevation and 1 rooflight to the front west facing roof elevation and 2 rooflights to the rear elevation.

**Location:** 23, Liffey Dale, Liffey Valley Park, Lucan, Dublin

**Applicant Name:** Manuel Matos

**Application Type:** Permission

(EW)

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

Site Area: as stated 0.0196 Hectares.

#### Site Description:

The subject dwelling is located within a pair of semi-detached dwellings on a corner site that intersects Liffey Crescent and Liffey Dale, Liffey Valley Park, Lucan, Co. Dublin. The existing dwelling is a hipped-roofed two-storey, semi-detached dwelling with driveways to the front and rear gardens. The streetscape is characterised by two-storey dwellings of similar form and character. Side dormer extensions are evident in the immediate area.

#### **Proposal:**

- To convert attic space to storage space with dormer window to the north facing roof elevation and
- One rooflight to the front west facing roof elevation and 2 rooflights to the rear elevation.

#### **Zoning:**

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

#### **Consultations:**

Surface Water Drainage –	No report received; standard conditions apply.
Irish Water –	No report received; standard conditions apply.
Parks -	No comments or recommendations.
SEA Sensitivity Screening -	No overlap indicated.

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

None received.

### **Relevant Planning History**

None for subject site.

#### *Adjacent sites:*

SD21B/0503 - 25, Liffey Dale, Liffey Valley Park, Lucan, Co. Dublin. *Granted Permission* for Extension and refurbishment to existing 2 storeys, 3 bedroom semi-detached dwelling of 103sq.m; new reconfigured vehicular entrance with electric gate and additional permeable paving; new internal stairs to converted attic store of 24sq.m with dormer window to gable roof; associated site works.

SD18B/0020-9, Liffey Dale, Liffey Valley Park, Lucan, Co Dublin. *Granted Permission* for attic conversion and the construction of a dormer roof to the side of the dwelling and two roof windows to the rear of the dwelling.

### **Relevant Enforcement History**

None on record.

### **Pre-Planning Consultation**

None on record.

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

***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).

***H14 Objective 2:*** To review and update the South Dublin County Council House Extension Design Guide, 2010 during the lifetime of this Development Plan, to include a review of design options for mid terrace type extensions with a view to facilitating these extensions in Local Authority housing where appropriate.

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### Green Infrastructure

- Policy GI1: Overarching Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.
- **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.
- **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 using 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*.

### **Section 12.4.2 Development Management and Green Infrastructure**

- Includes need for a Green Infrastructure Plan.
- Applications for extensions or single houses will also require the submission of a GI Infrastructure Plan which may be incorporated into the proposed landscape plan. This should clearly incorporate GI elements and provide links to local 'Stepping-Stones,' Cores and Corridors where appropriate. Some smaller scale development may require more detailed GI Infrastructure Plans. Depending on location and context of the site, this will be decided on a case-by-case basis. Regardless of development size or type, applicants must submit an overall site summary quantifying and detailing the following:
  - tree and hedgerow removal;
  - tree and hedgerow retention;
  - new tree and hedgerow planting.

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

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

### **Relevant Government Guidelines**

*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).

*Project Ireland 2040 National Planning Framework*, Government of Ireland, 2018.

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity,
- Green Infrastructure
- Service water and drainage.

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

The development comprising a side dormer extension is 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 & Visual Amenity***

#### **Side Dormer Window**

The Planning Authority have concerns regarding the design of the side dormer and its compliance with the House Extension Design Guide, 2010. The proposed side dormer window is not positioned below the ridgeline of the existing dwelling. However, regarding the development pattern of the current side dormers, windows remain at the ridge level, with the pattern of development and with the surrounding roofline symmetry to the immediate area. The side dormer proposal will integrate cohesively with the surrounding area and the visual and residential amenities. It is noted that a side dormer proposal has been permitted in the adjacent semi-detached dwelling to the south at No. 25, Liffey Dale and further north at 9, Liffey Dale. The Planning Authority deem that in this instant and as a matter of uniformity and mirroring the adjacent permitted proposal, the subject roof proposal can remain at the ridge level height. The dormer proposal is three tile courses above the eaves of the existing dwelling, and this is considered acceptable.

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Due to its size, design and how it matches the materials and the slope of the existing dwelling, the proposed dormer window would not be visually prominent. Therefore, a visual imbalance would not result from the proposal. The proposal shall cause no overbearing impact or overshadowing to the neighbouring properties north of the site. The proposed gable attic window shall be **conditioned** to be fully frosted. No overlooks of the adjacent property to the east are envisaged at No. 21 Liffey Dale.

The gable side-line symmetry of the dwelling remains intact up to the gable dormer proposal. Therefore, the side gable dormer window is considered, subject to conditions, complies with the design guidelines for dormer extensions as set out in the '*House Extension Design Guide*' in the current South Dublin County Council Development Plan 2022-2028, and would not have a negative impact on the visual amenities of the area.

### One Front and Two Rear Roof Lights

One roof light is proposed on the front slope, and two on the rear slope of the dwelling and are considered acceptable for visual and residential amenities of the area. The conversion is presented as a non-habitable space; a **note** should be attached stating that to use the attic for habitable space, it must comply with the Building Regulations. This development would enable the conversion of the attic providing an acceptable balance between the adaptable re-design of a house and providing accommodation that meets the needs of families so that the life cycle and use of that building can continue; therefore, a grant of permission is recommended.

### **Green Infrastructure**

The subject application provides for a roof change amendment and none to the footprint of the subject house on an established suburban residential site. However, the site boundary 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). A **condition** for surface water shall include for SuDS measures in the form of water butts.

Having regard to the extent of private amenity grassland retained, the provision of SuDS measures, it is considered that the subject development has incorporated Green Infrastructure and will protect, manage and enhance the GI resources on the subject site. As such, the proposal is in accordance with GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 – 2028.'

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### **Services & Drainage**

Regarding surface water drainage and flood risk, the Water Services have not submitted a report, however it is deemed that standard conditions can be obtained by **condition**.

Irish Water have not submitted a report however, no w/c has been indicated in the attic proposal on the submitted plans. Also noted is no direct proximity to watermains from screening IW networks maps.

### ***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 of a dormer window with roof amendment.

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***

Having regard to the modest nature of the development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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### *Development Contributions*

Development Contributions	
Planning Reference Number	SD22B/0378
Summary of permission granted & relevant notes:	Residential Dormer Extension – 23.5sqm. No previous extension.
Are any exemptions applicable?	Yes
If yes, please specify:	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.
Is development commercial or residential?	Residential
Standard rate applicable to development:	104.49
% Reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m <sup>2</sup> )	23.5
Amount of Floor area, if any, exempt (m <sup>2</sup> )	40
Total area to which development contribution applies (m <sup>2</sup> )	0
Total development contribution due	€0.00

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development proposed it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposed extension would be in compliance with Council policy in relation to extensions to dwelling houses.

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### **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. The following amendment to the design shall be carried out:  
The side dormer window on the gable elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.  
REASON: In the interest of residential amenity.
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 - Surface Water.  
(i) The applicant shall include Water Butts as part of Sustainable Drainage Systems



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(SuDS) measures for the proposed development.

(ii) All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

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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/0378**

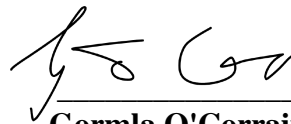
**LOCATION: 23, Liffey Dale, Liffey Valley Park, Lucan, Dublin**



**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:** 17/10/22



**Gormla O'Corrain, Senior Planner**