

Comhairle Chontae Atha Cliath Theas

PR/1386/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0400 **Application Date:** 09-Sep-2022
Submission Type: New Application **Registration Date:** 09-Sep-2022

Correspondence Name and Address: Tara Ward 4, Carrigmore Close, Aylesbury, Tallaght, Dublin 24

Proposed Development: Removal of chimney from roof & attic level. Attic conversion with wc, dormer window & 2 no. roof light on rear slope of roof at attic level.

Location: 7, Rushbrook Way, Templeogue, Dublin 6w

Applicant Name: Elaine Taaffe

Application Type: Permission

Description of Site and Surroundings:

Site Area: stated as 0.02 hectares on application form.

Site Description:

The subject site is located along Rushbrook Way residential street in Templeogue. The subject dwelling is a two-storey semi-detached dwelling with a pitched roof profile with small boundary entranceway 0.950m space to the side. The front garden/amenity consists of a hard surfaced area for parking and green area. The rear garden contains open space c65sqm with the boundary walk to the adjoining dwellings garden c9.6m from the rear elevation building line of a ground floor flat roof previous extension. The surrounding streetscape is characterised by dwelling houses of similar style and appearance and uniform building line. Rushbrook Way is a residential street with on-street parking, grass verge with mature trees and footpath. Examples of front porch extensions and removal of chimneys are evident in the area.

Proposal:

The proposed development consists of the following:

- Removal of chimney from roof and attic level.
- Attic conversion with wc, dormer window
- 2 no. roof light on rear slope of roof at attic level.

Zoning:

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

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Consultations:

Surface Water Drainage Section - No report received at time of writing.
Irish Water - No report received at time of writing.
Parks Section - No objection subject to **conditions**
Roads - No objections

SEA Sensitivity Screening - Indicates no overlap with the relevant environmental layers.

Submissions/Observations /Representations:

Submission expiry date – 13/10/2022
No submissions or observations were received.

Relevant Planning History:

Subject Site:

None identified on APAS.

Adjacent sites:

S01B/0463 - 6, Rushbrook Grove, Templeogue, Dublin 6W. (Dwelling to the rear of neighbouring dwelling)
Attic conversion with dormer window to rear.

Grant Permission.

SD19B/0113 - 21, Rushbrook Way, Templeogue, Dublin 6W.

Demolish chimney stack down to attic floor level; construct a single storey extension to include a porch and extended sitting room to the front of the existing semi-detached dwelling; form a dormer structure to the rear of the existing tiled roof; window to the gable wall; external finishes to match existing; internal alterations and associated site works.

Grant Permission.

SD22B/0007 - 29, Rushbrook Grove, Dublin 6w

(1) Conversion of attic space to non-habitable space with dormer window to rear and (2) single storey porch to front of existing dwelling and all associated site works.

Grant Permission.

Relevant Enforcement History:

None identified for subject site on APAS.

Pre-Planning Consultation:

None identified on APAS for subject site.

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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.

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 12.5.8 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.

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National Guidelines & Policy relevant to Development Management

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

The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on dormer windows:

For 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 3 tile courses);*
- *Relate dormer windows to the windows 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.*

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'.*

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 relate to:

- Zoning and Council policy
- Residential and Visual Amenity
- Services and Drainage
- Roads
- Parks
- Green Infrastructure
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

A development comprising of the removal of chimney from roof and attic level, Attic conversion with w/c, dormer window and 2 no. roof light on rear slope of roof at attic level 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 development will include a west facing rear dormer window and attic conversion providing 22sqm of internal space comprising of an attic room and w/c with an internal height of 2m with a max of 2.1m at roof apex. The dormer window would be set in c1.1m from the attached property to the north and the gable wall on the southern roof edge. The dormer window would protrude c2.3m. It is set below the ridge height of the existing roof by approximately 100mm and approximately 1m from the eaves height which is considered in keeping with the South Dublin County Council House Extension Guide (2010). The proposal would not create an unacceptable level of overlooking and would not adversely impact residential amenity of the area.

The removal of the chimney from the roof and attic level (evidence in the surrounding area of precedents- SD19B/0113 removal of chimney stack) will not provide an issue to the local authority and is deemed acceptable as is the addition of 2 roof lights on the rear (west) facing roof. The rooflights are located on each side of the dormer window with separation distance between the roof lights and dormer and edges of the roof to boundary with adjoining property and gable wall. A satisfactory symmetry will result from the inclusion of roof lights on either side of the dormer window at matching heights.

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Visual

The materials for proposed dormer are not specified on the application but it appears to be a concrete render with a flat roof. It should be **conditioned** that the materials used shall harmonise in colour or texture that is complementary to the existing dwelling. The dormer window will be set in approximately 1.1m from the southern gable elevation and should be relatively obscured from view from the street. Overall, the proposed development will be visually acceptable.

Attic Room

The proposal does not state whether the attic room would be used for habitable use. Building regulations require the minimum ceiling height of 2.4m for a habitable room. This can be dealt with by way of **note** in the event of a grant of permission. The dormer window would be located c27m from the rear building line of the dwelling to the rear (No.8 Rushbrook Grove), which is acceptable and in line with guidance in the South Dublin County Council House Extension Guide (2010).

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

Services and Drainage

No report was received from Water Services or Irish Water at the time of writing; however, it is deemed that standard conditions can be obtained by **condition**.

Roads

The roads department have **no objections** to the proposed development and there are no works that would increase the risk to road users.

Parks

The public realm department of the council have reviewed the application and have no objection to the development subject to **conditions**. The following report was received:

The following condition is recommended to be applied:

Protection of Street Trees in Grass Margins

1. The applicant is to ensure the protection of the existing street tree to be retained through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works. Commencement of development should not be permitted without adequate protective fencing being in place in line with BS 5837. This fencing, enclosing the tree protection area must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage

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is to be permitted within the fenced tree protection areas indicated on plan. **NCBH11**
Objective 3

It is considered appropriate that the above **condition** is attached in the event of a grant of permission.

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 (AA)

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 the removal of chimney from roof and attic level, attic conversion with w/c, dormer window and 2 no. roof light on rear slope of roof at attic level.

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.

Screening for 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.

Development Contributions

Previous extensions 18.81sqm (from drawings)

Proposed works 22sqm
Exemption remaining 21.19sqm
Total Assessable 0.81sqm

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| Planning Reference Number | SD22B/0400 |
| Summary of permission granted & relevant notes: | Removal of chimney from roof & attic level. Attic conversion with wc, dormer window & 2 no. roof light on rear slope of roof at attic level. Proposed Works - 22sqm, evidence of previous extension/rear extension - 18.81sqm |
| 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 (m2) | 0: Attic floor space non habitable |
| Amount of Floor area, if any, exempt (m2) | 22 |
| Total area to which development contribution applies (m2) | 0 |
| Total development contribution due | €0.00 |

| SEA Monitoring Information | |
|---------------------------------------|--------------------------|
| Building Use Type Proposed | Floor Area (sq.m) |
| Residential – dormer window extension | 22sq.m |
| Land Type | Site Area (Ha.) |
| Brownfield/Urban Consolidation | 0.02 |

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Conclusion

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

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(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 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

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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. The applicant is to ensure the protection of the existing street tree to be retained through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works. Commencement of development should not be permitted without adequate protective fencing being in place in line with BS 5837. This fencing, enclosing the tree protection area must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas indicated on plan. NCBH11 Objective 3.

REASON: In the interest of proper planning and sustainable development.

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/0400

LOCATION: 7, Rushbrook Way, Templeogue, Dublin 6w

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 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: 03/11/2022

jjohnston

Jim Johnston,
Senior Executive Planner