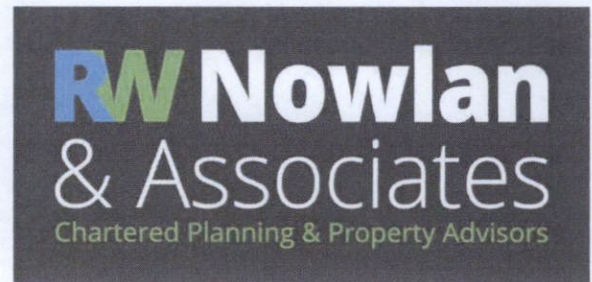


Project No. 109.11/2022



Planning Observation

RE: Application made to South Dublin County Council for Conversion of Existing Attic Space Including the Modification of Existing Roof Structure at 2 Wainsfort Manor Drive, Terenure, Dublin 6W, D6W DF10. Planning Reg. Ref. SD22B/0454

DATE: 18th November 2022

on behalf of: Bernard Mullins,
4 Wainsfort Manor Drive,
Terenure, Dublin 6W, D6W
A218

TABLE OF CONTENTS

1.0 INTRODUCTION..... 3

2.0 PROPOSED DEVELOPMENT 3

3.0 SOUTH DUBLIN DEVELOPMENT PLAN 2022-2028 4

4.0 SOUTH DUBLIN COUNTY COUNCIL HOUSE EXTENSION DESIGN GUIDE, 2010 5

5.0 OVERLOOKING AND LOSS OF PRIVACY..... 7

6.0 DAYLIGHT AND SUNLIGHT IMPACT 11

7.0 CONCLUSION 11

List of Figures

Figure 1: Extract from Map 6 within South Dublin Development Plan 2022-2028..... 4

Figure 2: Private Patio Area in Client’s Rear Garden..... 8

Figure 3: Mature Trees within Client’s Rear Garden and Private Patio Area..... 9

Figure 4: Rear Elevation of Proposed Development..... 10

1.0 Introduction

RW Nowlan & Associates have been retained by Bernard Mullins of 4 Wainsfort Manor Drive, Terenure, Dublin 6W, D6W A218 to prepare this observation to a planning application, South Dublin County Council reference SD22B/0454, submitted by Carol Forbes on behalf of James and Emma Mulhern to South Dublin County Council for permission for development at 2 Wainsfort Manor Drive, Terenure, Dublin 6W, consisting of conversion of existing attic space comprising of modification of existing roof structure, raising of existing gable with window and dutch hip, new access stairs and flat roof dormer to the rear.

Our client has serious concerns with the development as proposed and wishes to lodge with South Dublin County Council a record of their objection. Their concerns relate to the implications in terms of overlooking, loss of privacy, daylight and sunlight impact and the depreciation of the value of their home should the development go ahead as proposed. Our client is not opposed to the extension of their neighbour's home but consider that a more appropriate extension could be achieved that would not result in such a negative impact on their residential amenity and overall enjoyment of their home.

We enclose a cheque for the prescribed observation fee of €20 made out to South Dublin County Council.

2.0 Proposed Development

The proposed development was outlined in the statutory notices as follows:

'The development will consist of conversion of existing attic space comprising of modification of existing roof structure, raising of existing gable c/w window and dutch hip, new access stairs and flat roof dormer to the rear'.

3.0 South Dublin Development Plan 2022-2028

The subject site is zoned as Objective RES within the South Dublin County Development Plan 2022-2028. The zoning objective for Objective RES zoned lands is stated as follows: *“to protect and/or improve residential amenity”*.

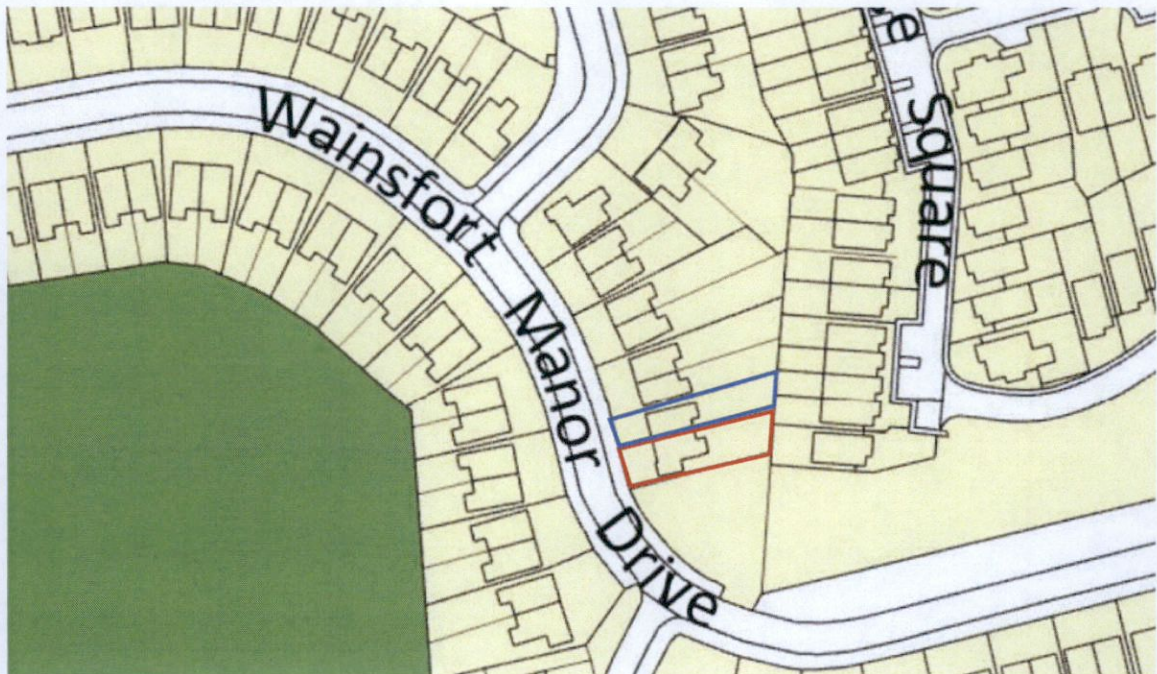


Figure 1: Extract from Map 6 within South Dublin Development Plan 2022-2028 (subject site shown in red, client property in blue)

Section 6.8.2 of the South Dublin County Development Plan outlines overarching policies relating to residential extensions. Policy H14 states that the Council will *“support the extension of existing dwellings subject to the protection of residential and visual amenities”*.

Policy H14 is broken down to Objectives with 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)”*.

Within Chapter 12: Implementing and Monitoring of the Development Plan, the following is stated in relation to residential 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"*.

Additionally, in line with appropriate planning policy for sustainable development, any proposal must have regard to the site context and existing built character of the surrounding environment. The existing character of an area should be respected and every effort made to protect existing residential amenities and services for the area in which any new development is proposed. As we will further outline below, this is not the case in relation to the proposed development.

4.0 South Dublin County Council House Extension Design Guide, 2010

The South Dublin County Council House Extension Design Guide sets out appropriate standards in relation to ensuring high quality, sustainable extensions to homes. The Guide sets out the following five 'Elements of Good Extension Design';

- I. Respect the appearance and character of the house and local area*
- II. Provide comfortable inside space and useful outside space*
- III. Do not overlook, overshadow or have an overbearing affect on properties next door*
- IV. Consider the type of extension that is appropriate and how to integrate it*
- V. Incorporate energy efficient measures where possible*

In relation to the subject proposal, Elements III and IV form the basis of our client's objections.

III. Do not overlook, overshadow or have an overbearing affect on properties next door

Section III of the Guide details appropriate design features to ensure that no inappropriate overlooking and loss of privacy occurs as a result of an extension. This is also particularly important

in relation to Daylight and Sunlight provision. In relation to Daylight and Sunlight, the Guide notes that *"In designing an extension, it is important to ensure that not only do rooms in the new extension have good access to daylight and sunlight, but also that the extension itself through its location or height, will not significantly reduce the amount of daylight and sunlight enjoyed by neighbouring properties or severely overshadow them"*.

Other relevant policies in this section include;

- *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*
- *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.*

IV. Consider the type of extension that is appropriate and how to integrate it

Section IV of the Guide details guidance on visual design of attic conversions and dormer windows.

In this regard, the Guide sets out that the following should be avoided;

- *Do not obscure the main ridge and eaves features of the roof, particularly in the case of an extension to the side of a hipped roof.*
- *Avoid extending the full width of the roof or right up to the gable ends – two small dormers on the same elevation can often be a suitable alternative to one large dormer.*
- *Avoid dormer windows that are over-dominant in appearance or give the appearance of a flat roof.*
- *Avoid the use of flat-roofed dormer window extensions on houses with hipped rooflines.*

Overall, in line with appropriate planning policy for sustainable development, any proposal must have regard to the site context and existing built character of the surrounding environment. The existing character of an area should be respected and every effort made to protect existing residential amenity for the area in which any new development is proposed. As we will further outline below, this is not the case in relation to the proposed development.

5.0 Overlooking and Loss of Privacy

The privacy within our client's home and rear open space was a determining factor in their purchase of this property. The College Square estate to the rear of Wainsfort Manor Drive was developed in 2005 under planning reg. ref. SD04A/0242 and it was determined within that application that the third storey of the dwellings could have no windows to ensure homes on Wainsfort Manor Drive would not be overlooked. The value of properties in this section of Wainsfort Manor Drive, where mature trees line the rear boundaries, are consistently recorded as higher than others in the area as a direct result of the privacy enjoyed within the houses and also the rear gardens. Our client has invested considerable costs in to cultivating and maintaining mature trees on their rear property boundary to ensure their privacy is maintained, as shown in Figures 2 and 3 below.



Figure 2: Private Patio Area in Client's Rear Garden



Figure 3: Mature Trees within Client's Rear Garden and Private Patio Area

The proposed extension to No. 2 Wainsfort Manor Drive would have a detrimental impact on the privacy enjoyed by our client within their rear garden area through direct overlooking. The proposal effectively changes the subject dwelling from two storey to three storeys with a large dormer window which would have an unobstructed view in to our client's rear garden and private patio area, as shown in Figure 4 below. It is also noted that the rear elevations submitted with the application documents incorrectly details the ground floor extension of our client's home and this should be addressed before this application is determined to ensure an accurate assessment of the site in context.



Figure 4: Rear Elevation of Proposed Development

As set out in the beginning of this observation report, our client is not opposed to the applicant extending their home, if desired, but it is considered that this could be achieved without such a significant impact on our client's privacy. It is considered that an extension to the side of the property may be more appropriate as any windows to the side would not impede on the privacy of neighbouring properties through direct overlooking. The application documents do not detail if any alternative design options were considered before moving ahead with the current proposal.

Privacy is directly linked to the level of residential amenity enjoyed within a home and this proposal would result in substantial reduction of residential amenity for our client. It is considered that the proposal as submitted to South Dublin County Council is not consistent with policies as set out within the South Dublin Development Plan 2022-2028 and also the South Dublin County Council House Extension Design Guide, as described in Section 3.0 and 4.0 respectively, and should be reassessed to find a solution which would be successful in extending the property in a sustainable manner.

6.0 Daylight and Sunlight Impact

The applicant did not submit any assessment documentation in relation to the impact the proposed development may have on the daylight and sunlight receivable in our client's rear garden space and the rear windows of their property.

As outlined in Section 4.0 above, Section III of the Design Guide outlines the importance of ensuring that daylight and sunlight provision is protected for neighbouring properties when extensions to existing dwellings are proposed. At present, our client spends a lot of time in their rear garden and patio area, particularly in the summer and any deterioration of the quality of daylight and sunlight in the garden would be considered detrimental to the enjoyment of their home.

It is considered necessary that an assessment in this regard should be undertaken prior to granting of any permission for development to ensure that there would not be an unreasonable negative impact to neighbouring properties. At present, South Dublin County Council cannot be satisfied that the proposed development will not seriously injure residential amenities in the area as a direct result of loss of sunlight and daylight.

7.0 Conclusion

In summary, it is considered that the applicant has not provided sufficient supporting documentation to address the concerns raised throughout this Observation Report. The proposed development in this location would inevitably result in a significant negative impact on our client's home. It is clear that the current proposal would also result in a negative precedent for such development in this location in future.

This report has outlined significant, reasonable, concerns in relation to this planning application in terms of design rational which should be addressed prior to any grant of permission for

development at this site. It is therefore considered that planning permission should be refused in this instance pending a review of feasible alternative ways to extend the property by the applicant which would not result in such significant negative impact on neighbouring properties.

We look forward to hearing from you in due course.

Yours Sincerely,

A handwritten signature in black ink, appearing to be 'R.W. Nowlan', written in a cursive style.

R.W. Nowlan & Associates

RW Nowlan & Associates
{re. Bernard Mullins}
37 Lower Baggot Street
Dublin 2.

Date: 21-Nov-2022

Dear Sir/Madam,

Register Ref: SD22B/0454
Development: Conversion of existing attic space comprising of modification of existing roof structure, raising of existing gable c/w window and dutch hip, new access stairs and flat roof dormer to the rear.
Location: 2 Wainsfort Manor Drive, Terenure, Dublin 6w D6W DF10
Applicant: James & Emma Mulhern
Application Type: Permission
Date Rec'd: 18-Oct-2022

I wish to acknowledge receipt of your submission in connection with the above planning application. The appropriate fee of €20.00 has been paid and your submission is in accordance with the appropriate provisions of the Planning and Development Regulations 2001(as amended). The contents of your submission will be brought to the attention of the Planning Officer during the course of consideration of this application.

This is an important document. You will be required to produce this document to An Bord Pleanála if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website, www.sdublincoco.ie.

You may wish to avail of the Planning Departments email notification system on our website. When in the *Planning Applications* part of the Council website, www.sdublincoco.ie, and when viewing an application on which a decision has not been made, you can input your email address into the box named "*Notify me of changes*" and click on "*Subscribe*". You should automatically receive an email notification when the decision is made. Please ensure that you submit a valid email address.

Please note: If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full contents of a planning application.

Yours faithfully,


for **Senior Planner**