

Comhairle Chontae Atha Cliath Theas

PR/1571/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0466 **Application Date:** 25-Oct-2022
Submission Type: New Application **Registration Date:** 25-Oct-2022
Correspondence Name and Address: Robert McConnell 11, White Pines Crescent,
Stocking Avenue, Rathfarnham, Dublin 16
Proposed Development: Attic Conversion with front roof lights, attic
yoga/storage space and rear dormer window bedroom
extension including all associated ancillary works
Location: 9 Willow Court, Dublin 22
Applicant Name: Emily & Seán Kelly
Application Type: Permission

Description of Site and Surroundings

Site Description

The subject site is located within the established residential area of Willow Court, Brideswell Commons, Dublin 22. The Old Naas Road is located approximately 45m to the south, with the N7 located just a few metres further south. The subject site is comprised of a semi-detached bungalow with a pitched roof, a front garden with off-street car parking and a rear garden.

The surrounding streetscape is characterised by two storey dwellings with a generally uniform architectural form and character.

Site Area

Stated as 0.032 Ha.

Proposal

Permission is sought for:

- Conversion of the existing attic space and provision of a rear dormer which projects approximately 2.5m out from the roof profile and spans an approximate width of 4.8m. The converted attic space and rear dormer will result in an additional gross floor area of approximately 48.6sqm comprised of a yoga room/attic store (24.3sqm) and an ensuite bedroom and landing (18.6sqm).
- Internal reconfiguration of the ground floor level layout with the conversion of the existing bedroom to an enlarged kitchen/dining room and the provision of an access stairs to the newly converted attic level.
- Alterations to the elevational treatment of the existing dwelling in the form of a new glass door at ground floor level and an attic level dormer window to the rear elevation and 2 No. obscure glazed windows at attic level of the side (southern) elevation.

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- Associated modifications to the roof profile comprising the addition of 2 No. new roof lights to the front pitch of the roof.
- All ancillary site works above and below ground.

Zoning

The site is subject to zoning objective 'RES' – 'To protect and/or improve residential amenity' in the South Dublin County Development Plan 2022-2028.

Overlap is also indicated with the following relevant Development Plan Map layers:

- Bird Hazards.
- Outer Horizontal Surface – Dublin Airport.
- Inner Horizontal Surface – Casement Aerodrome.

Consultations

Drainage and Water Services Department - No report received at time of writing.

Irish Water - No report received at time of writing.

Roads Department – No objection.

Parks and Public Realm Department – No objection.

Screening for Strategic Environmental Assessment

No overlap indicated with relevant environmental layers.

Submissions/Observations /Representations

Last date for Submissions/Observations – 28th November 2022.

None received.

Relevant Planning History

Subject Site

None recorded.

Adjacent Sites

No recent Planning History of particular relevance in the immediate vicinity of the subject site.

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Relevant Enforcement History

None were recorded for the subject site.

Pre-Planning Consultation

None recorded.

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

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GII 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.

Section 4.2.1 Biodiversity

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.

Section 4.2.2 Sustainable Water Management

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 6.8.2 Residential Extensions

Policy H14: 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).

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.

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Chapter 12 Implementation and Monitoring

Section 13.5.8 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.

South Dublin County Council House Extension Design Guide (2010)

The House Extension Design Guide contains the following guidance on house extensions, including for porches and front 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.*

For attic conversions and dormer windows

- *Use materials to match the existing wall of roof materials of the main house;*
- *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; and*
- *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.*

Overlooking and loss of privacy

- *Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.*

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Relevant Government Guidelines

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

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

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 concern the following:

- Zoning and Council policy.
- Residential and Visual Amenity.
- Green Infrastructure
- Drainage and Water Services.
- Appropriate Assessment.
- Environmental Impact Assessment.

Zoning and Council Policy

The site is located in an area which is subject to zoning objective 'RES' – *'To protect and/or improve Residential Amenity'*. The development of an extension or alteration to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the South Dublin County Development Plan 2022-2028 and the South Dublin County Council House Extension Design Guide (2010).

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Residential and Visual Amenity

The proposed development shall be assessed below, in the context of the potential impact on the residential and visual amenity of adjacent properties and the wider streetscape. The proposed development shall also be assessed against the relevant policy, including but not limited to the South Dublin County Development Plan 2022-2028 and the South Dublin County Council House Extension Design Guide (2010).

The proposed development includes the conversion of the existing attic space and provision of a rear dormer which projects approximately 2.5m out from the roof profile and spans an approximate width of 4.8m.

The following extract from the South Dublin House Extension Design Guide (2010) in relation to dormer extensions is of note:

'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)'

The proposed dormer appears to be located at least 3 No. tile courses above the eaves line and at least 100mm below the ridge line of the existing dwelling.

Having regard to the receiving context of the subject site and the scale of the proposed dormer it is considered that the proposal would not be materially harmful to neighbouring residential amenity in terms of overshadowing and overbearing. Although there is potential for the proposed dormer window to overlook the rear amenity space of adjacent properties, it is not considered that it would not give rise to unacceptable levels of overlooking. Overall, it is considered that the proposal would not have an adverse impact on the residential and visual amenity of the subject site and adjacent properties.

It is noted that 2 No. windows are proposed at attic level in the side (southern) elevation at the top of the stairwell providing access to the converted attic space. It is indicated on the drawings that the materiality of this window is intended to be opaque to prevent overlooking to adjacent properties. This can be secured by **CONDITION**, should the Planning Authority be minded to Grant Permission for the proposed development.

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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). Having regard to the subject site's location and the nature and scale of the proposed development i.e., an attic conversion which will not increase the floorplate of the dwelling, the proposal will not result in the loss of any grassland or permeable surfaces and will therefore not adversely impact the Green Infrastructure Network.

Drainage and Water Services

No report was received from the Drainage and Water Services Department or Irish Water at the time of writing this Report. However, having regard to the nature and scale of the proposed development, it is considered appropriate that standard **CONDITIONS** should be attached in the event that the Planning Authority is minded to Grant Permission for the proposed development.

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 an attic conversion and the provision of a dormer extension. 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 proposed 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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Other Considerations

Development Contributions	
Planning Reference Number	SD22B/0466
Summary of permission granted & relevant notes:	Attic Conversion with front roof lights, attic yoga/storage space and rear dormer window bedroom extension including all associated ancillary works
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)	48.60
Area of Habitable Development (m2)	18.60
Area of Non-habitable Development (m2)	24.40
Amount of Floor area, if any, exempt (m2)	40
Total area to which development contribution applies (m2)	0
Total development contribution due	€0.00

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SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential Extension (Attic Conversion and Dormer Extension)	48.6 sq.m
Land Type	Site Area (Ha)
Brownfield / Urban Consolidation	0.032 Ha

Conclusion

The proposed development of this planning application is in accordance with the provisions of the South Dublin County Development Plan 2022-2028 and the South Dublin County Council House Extension Design Guide (2010), and it is therefore considered that subject to conditions, the proposed development would not seriously injure the amenities of the area and would be in accordance with the key principles of 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.

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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 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,

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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.

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.

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REG. REF. SD22B/0466
LOCATION: 9 Willow Court, Dublin 22



Conor Doyle,
Assistant 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: 14.12.22


Colm Harte,,
Senior Executive Planner