

# Comhairle Chontae Atha Cliath Theas

**PR/1607/22**

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

**Reg. Reference:** SD22B/0480      **Application Date:** 02-Nov-2022  
**Submission Type:** New Application      **Registration Date:** 02-Nov-2022  
**Correspondence Name and Address:** Liam Baker 19, Aranleigh Gardens, Rathfarnham, Dublin 14  
**Proposed Development:** Attic conversion for storage with dormer window to the rear. Two new gable windows one in each gable. Two new velux windows to the front roof area.  
**Location:** 46a, St Joseph's Road, Greenhills, Dublin 12, D12 K036  
**Applicant Name:** David Moyles  
**Application Type:** Permission

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

Site Area: stated as 0.0210 hectares on application form.

### **Site Description:**

The subject site is located at the junction of St Malachy's Drive and St Joseph's Road within an established residential estate. The corner site comprises of a rear garden/amenity space and a front hardcourt surfaced driveway. The streetscape of St Joseph's Road is characterised by terraced houses with pitched roof dwellings. The subject dwelling is two storey detached dwelling with pitched roof and gable wall to the side facing St Malachys Drive was originally granted permission for construction in the side garden on No.46. The dwelling has a narrow passage to the rear separating it from the terraced dwellings on St Joseph's Road. The building line is consistent with the rest of the street. The streetscape is characterised by a uniform building line with a footpath and grass verge.

Examples of rear dormer type windows can be seen on dwellings along St Joseph's Road and the surrounding area.

### **Proposal:**

The proposed development consists of permission for the following:

- Attic conversion for storage with dormer window to the rear.
- Two new gable windows one in each gable.
- Two new velux windows to the front roof area.

### **Zoning:**

The subject site is subject to zoning objective 'RES' - 'To protect and/or improve Residential Amenity', under the South Dublin County Development Plan 2022-2028.

# Comhairle Chontae Atha Cliath Theas

**PR/1607/22**

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

### **Consultations:**

No referrals issued.

*SEA Sensitivity Screening* - Indicates no overlap with the relevant environmental layers on SEA mapping tool.

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

Submission expiry date – 6/12/2022

No submissions or observations were received.

### **Relevant Planning History:**

#### ***Subject Site:***

SD15A/0007 - 46, Saint Joseph's Road, Dublin 12. (*permission for subject dwelling*)

New two storey, three bedroom, detached house and all associated and ancillary site and drainage works in the side garden of the existing house.

**Grant Permission after appeal to ABP.**

#### ***Adjacent sites:***

SD22B/0004 - 47, St. Joseph's Road, Greenhills, Dublin 12.

Attic conversion with flat roof dormer to rear providing a permanent stairs access, a non-habitable attic room and adjoining bathroom along with associated internal modifications and site works.

**Grant Permission.**

SD22B/0131 - Single and two storey extension to the rear with pitched gable end roof and two dormers; new single storey extension with hip roof to the front; demolition of the existing shed to the rear; new vehicle access to the front with dished footpath; attic conversion for storage incorporating gable end distorted window at the side; dormer window and 'Velux' roof lights to the rear.

**Grant Permission.**

SD12B/0162 - 32, Saint Joseph's Road, Dublin 12

Attic conversion with dormer to rear including internal alterations for playroom/storage use.

**Grant Permission.**

### **Relevant Enforcement History:**

None identified for subject site on APAS.

### **Pre-Planning Consultation:**

None identified on APAS for subject site.

# Comhairle Chontae Atha Cliath Theas

**PR/1607/22**

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

### **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.*

*G12 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.*

*G14 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.*

# Comhairle Chontae Atha Cliath Theas

**PR/1607/22**

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

### **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).

# Comhairle Chontae Atha Cliath Theas

**PR/1607/22**

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

### **Assessment**

The main issues for assessment relate to:

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

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

A development comprising of the attic conversion for storage with dormer window to the rear and two new gable windows one in each gable along with two new velux windows to the front roof area 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 south-westerly facing rear dormer window and attic conversion providing 24sqm of internal space comprising of one large attic storage room and 2 smaller attic storage rooms with an internal height of 2.2m. The dormer window would be set in c1.3m from the gable wall on the western and eastern roof edge. The dormer window would protrude c3.4m along the flat roof from where it is set in below the ridge line of the dwelling.

The proposed dormer is set below the ridge height of the existing roof by approximately 800mm (measurements taken from drawings) and approximately 900mm from the eaves height which is considered in keeping with the South Dublin County Council House Extension Guide (2010) which states the following in relation to the location of a dormer window:

- *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 dormer window would be located c9m from the rear boundary wall of the subject site and with that of the neighbouring dwelling No.46B St Malachys Drive. 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 side amenity space of neighbouring property, it is not considered that it would be materially worse than views from the existing first floor windows and therefore would not give rise to unacceptable levels of overlooking. Overall, it is considered that the proposal would not

# Comhairle Chontae Atha Cliath Theas

PR/1607/22

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

have an adverse impact on the residential and visual amenity of the subject site and adjacent properties.

### *Side gable windows*

A c750mm x 800mm window is proposed in the (western) gable wall on the side elevation of the subject dwelling at attic level. The window would serve one of the attic storage rooms which is non habitable and deemed acceptable, however, it is noted that the window could have the potential to overlook the public realm due to the corner location of the development and therefore it is deemed appropriate that the glass in the window be frosted or opaque in nature. This can be achieved by way of **Condition** on grant of permission.

A second gable window is proposed on the eastern gable wall on side elevation also at attic level. The window would serve the access stairs to the attic room which is a non-habitable area. The window proposed window will have no negative impact of the overall amenity or privacy of the neighbouring dwellings and are deemed acceptable, however, due to the presence of a similar type gable window in the neighbouring dwelling located c1m opposite at the same level, it is deemed appropriate that the window be frosted or opaque in nature. This can be achieved by means of **Condition**.

### *Rooflights*

2No. rooflights are proposed for the front elevation on the roof at attic level. The rooflights would be located at a satisfactory level below the ridge line and above the eaves and appropriately set in from the roof edges and are deemed acceptable to the planning authority. A satisfactory symmetry will result from the inclusion of roof lights on at matching heights on the roof which will be visually acceptable.

### *Visual*

The materials for proposed dormer are not specified on the application. It should be **conditioned** that the materials used shall harmonise in colour or texture that is complementary to the existing dwelling. Overall, the proposed development will be visually acceptable.

### *Attic Room*

The proposal states that the attic room would be used for storage purposes. 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.

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 conditions in terms of residential and visual amenity.

# Comhairle Chontae Atha Cliath Theas

**PR/1607/22**

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

### ***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 attic conversion for storage with dormer window to the rear, two new gable windows one in each gable and two new velux windows to the front roof area.

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***

Proposed works	24sqm
Total Assessable	0sqm

# Comhairle Chontae Atha Cliath Theas

**PR/1607/22**

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

<b>Planning Reference Number</b>	<b>SD22B/0480</b>
<b>Summary of permission granted &amp; relevant notes:</b>	Attic conversion for storage with dormer window to the rear, two new gable windows one in each gable and two new velux windows to the front roof area. Proposed Works - 24sqm
<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>	24
<b>Amount of Floor area, if any, exempt (m2)</b>	24
<b>Total area to which development contribution applies (m2)</b>	0.00
<b>Total development contribution due</b>	<b>€0.00</b>

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential – Attic conversion/dormer window extension	24sq.m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.0210



# Comhairle Chontae Atha Cliath Theas

**PR/1607/22**

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

### **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. (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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/1607/22**

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

(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 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

# **Comhairle Chontae Atha Cliath Theas**

**PR/1607/22**

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

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.

2. 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.
3. Re-design.  
The applicant shall ensure that both proposed gable windows at attic level on the east and west elevation of the proposed development:  
(i) Are of opaque or frosted glazing in nature.  
REASON: In the interests of proper planning and sustainable development of the area.
4. Attic Space Use.  
The attic space shall be used as storage non-habitable space only. Should the Applicant wish to utilise the space as a habitable room a separate Planning Application shall be required, which will be subject to a complete assessment.  
REASON: To ensure the development as approved is consistent with the restrictions of the Building Regulations in the interests of public safety and the proper planning and sustainable development of the area.

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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/1607/22**

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

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.

NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

# Comhairle Chontae Atha Cliath Theas

PR/1607/22

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

REG. REF. SD22B/0480

LOCATION: 46a, St Joseph's Road, Greenhills, Dublin 12, D12 K036



**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:** 15/12/22

  
**Gormla O'Corrain,**  
**Senior Planner**