

Comhairle Chontae Atha Cliath Theas

PR/0111/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0511 **Application Date:** 28-Nov-2022
Submission Type: New Application **Registration Date:** 28-Nov-2022

Correspondence Name and Address: Carol Forbes, 4 Bes Design Services 38, Larkfield Avenue, Lucan, Co. Dublin

Proposed 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 a flat roof dormer to the rear

Location: 7, Moy Glas Avenue, Lucan, Dublin

Applicant Name: Terence and Elisa Hynes

Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Area

Stated as 0.0212298ha

Site Description

The property is located in Moy Glas Avenue off the R136 within close proximity to the N4. The area is predominantly residential in nature with units of similar architectural style with a relatively uniform building line. The subject site consists of a two storey semi-detached dwelling with a hip pitched roof.

Proposal:

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.
- Flat roof dormer to the rear.
- Total area of works 25.75sqm.

Zoning:

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

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Consultations:

Irish Water - No report received at time of writing.

Water Services – No report received at time of writing.

Roads Department – No objections.

SEA Sensitivity Screening

No overlap with relevant layers.

Submissions/Observations /Representations

2 submissions were received which can be summarized as follows:

- visual imbalance, potentially three different roof types on the same row of houses
- Same development was applied for in 2018/2019 which the applicant made a submission on
- Site notice dates are incorrect
- The development should match the dormer of the neighbouring dwelling

The submissions as received have been reflected throughout the report.

Relevant Planning History

SD18B/0110 - 9, Moy Glas Avenue, Lucan, Co. Dublin – **Permission Granted following AI** for (a) Existing hipped roofline altered to provide for attic conversion to include a dormer window and roof light to rear roof; (b) associated internal modifications & site work.

SD20B/0349 - 10, Moy Glas Way, Lucan, Co. Dublin – **Permission Granted** for conversion of existing attic space comprising of: modification of existing roof structure; raising of existing gable c/w window; new access stairs and flat roof dormer to the rear.

Relevant Enforcement History

None.

Pre-Planning Consultation

None.

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

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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 GII: Overarching

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.

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.

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).

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Quality Housing for Sustainable Communities: Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Residential and Visual Amenity
- Drainage
- Roads
- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

A development comprising the conversion of existing attic space, modification of existing roof structure, raising of existing gable c/w window and Dutch hip new access stairs and a flat roof dormer to the rear 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

The proposed development consists of a change in roof profile from a hip-pitched roof to a half hip which is not token in nature and is visually acceptable as there are various examples of similar developments throughout the estate. It is noted that the unit directly to the south had a similar development amended via additional information which has set a different visual tone for this part of the development but notwithstanding this, the proposed change in roof profile is considered acceptable subject to conditions.

The proposed rear dormer window will be flat roofed and set appropriately above the eaves and below the ridge line. Furthermore, it is set an appropriate distance from the attached unit to the north and is therefore satisfactory. It should be noted that internal head height of the proposed development will be approximately 2m.

Overall, the proposed development would not be overly injurious to the visual or residential amenities of the area.

Drainage

No report was received from Irish Water or Surface Water Drainage at the time of writing and given the nature, size and scale of the development, this is appropriate.

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Roads

The Roads Department have no objections which is appropriate as there does not appear to be changes to the access arrangements as a result of the proposed development.

Green Infrastructure

The subject application does not increase the footprint of the subject house on an established suburban residential site. The site does not appear to be located within a Primary or Secondary GI Corridor 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) and 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

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 conversion of existing attic space, modification of existing roof structure, raising of existing gable c/w window and Dutch hip new access stairs and a flat roof dormer.

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 (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.

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Development Contributions

Planning Reference Number	SD22B/0511
Summary of permission granted & relevant notes:	Residential Extension 25.75sqm – Non-Habitable.
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:	119.10
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€119.10
Area of Development (m2)	25.7
Amount of Floor area, if any, exempt (m2)	25.7
Total area to which development contribution applies (m2)	0
Total development contribution due	€0

SEA Monitoring Information

Building Use Type Proposed:

Floor Area:

25.7sqm

Land Type:

Urban Consolidation.

Site Area:

0.0212298

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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

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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.

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

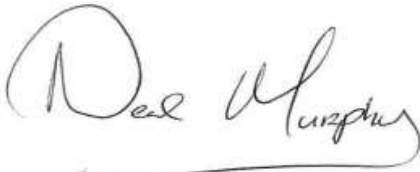
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REG. REF. SD22B/0511

LOCATION: 7, Moy Glas Avenue, Lucan, Dublin



Neal Murphy
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: 01/02/2023


Colm Harte,
Senior Executive Planner