

Comhairle Chontae Atha Cliath Theas

PR/0546/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0099 **Application Date:** 08-Mar-2022
Submission Type: New Application **Registration Date:** 08-Mar-2022

Correspondence Name and Address: Daithi O'Mahoney, Joe Fallon Design 1A, Ryland Street, Bunclody, Enniscorthy, Co. Wexford

Proposed Development: Single storey flat roof extension to the rear with new rooflight; first floor extension to the rear with new rooflight; demolition of existing chimney and dormer window to the rear; demolition of existing shed in rear garden abutting neighbouring structure; single storey front porch with demolition of existing front porch and all associated site works

Location: 17 Butterfield Avenue, Rathfarnham, Dublin 14.

Applicant Name: Richard & Irene Harpur

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.0732 Hectares on the application.
Site Visit: 23rd of March 2022.

Site Description

The subject site is located on Butterfield Avenue within an existing housing estate in Rathfarnham. The site consists of a detached one and a half storey bungalow with rear extension and dormer windows. The streetscape consists of housing of a range of forms and characters. To the rear of the site is the Dodder River.

Proposal

Permission is being sought for the following works:

- Single storey flat roof extension to the rear with new rooflight;
- First floor extension to the rear with new rooflight;
- Demolition of existing chimney and dormer window to the rear;
- Demolition of existing shed in rear garden abutting neighbouring structure;
- Single storey front porch with demolition of existing front porch and all associated site works.

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Zoning

The subject site is zoned 'RES': *'To protect and/or improve residential amenity'* and 'HA-DV': *'To protect and enhance the outstanding character and amenity of the Dodder Valley'* under the South Dublin County Development Plan 2016-2022. The site is largely zoned RES, at the front. To the rear where the site adjoins the River Dodder it is zoned HA-DV.

Consultations

Water Services – further information requested.

Irish Water – no objection subject to conditions.

SEA Sensitivity Screening – the site overlaps with the following layers:

- High Amenity Dodder Valley
- Strategic Flood Risk Assessment (SFRA) A and B layers.

Submissions/Observations /Representations

None received.

Relevant Planning History

Subject site

SD06B/0007

Construction of a new roof with additional accommodation and dormer windows to the front and rear, with a ground floor extension to the front, side and rear of the existing house. **Permission granted.**

Adjacent and surrounding sites

SD11B/0109 19 Butterfield Avenue

Alterations and extension to existing single storey, pebble dashed, 2 bed bungalow which include removing existing roof structure and raising existing external walls; new roof structure and profile to allow new accommodation of 3 bedrooms, ensuite and main bathroom at first floor level including first floor windows within 3 gables and rooflights; reconfiguration of downstairs accommodation within existing footprint; insulation of external walls with new smooth finished render painted; concrete tiled main roof and zinc cladding to flat roof area to front elevation; relocation of front door to side wall; widening of existing vehicular entrance. **Permission granted.**

Relevant Enforcement History

Enforcement Ref. S1156

'Velux' window, chimney, kitchen door and colour of extension. Pre APAS. Closed.

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Pre-Planning Consultation

None identified in APAS.

Relevant Policy in South Dublin County Council Development Plan 2016 – 2022

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Policy H18 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 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 9.2.3 Liffey Valley and Dodder Valley

Policy HCL10 Liffey Valley and Dodder Valley

It is the policy of the Council to protect and enhance the visual, recreational, environmental, ecological, geological and amenity value of the Liffey Valley and Dodder Valley, as key elements of the County's Green Infrastructure network.

HCL10 Objective 1:

To restrict development within areas designated with Zoning Objective 'HA – LV' (To protect and enhance the outstanding character and amenity of the Liffey Valley) and 'HA – DV' (To protect and enhance the outstanding character and amenity of the Dodder Valley) and ensure that new development is related to the area's amenity potential and is designed and sited to minimise environmental and visual impacts.

HCL10 Objective 2:

To ensure that development within the Liffey Valley and Dodder Valley will not prejudice the future creation and development of uninterrupted and coherent parklands including local and regional networks of walking and cycling routes.

HCL10 Objective 3:

To ensure that development proposals within the Liffey Valley and Dodder Valley, including local and regional networks of walking and cycling routes, maximise the opportunities for enhancement of existing ecological features and protects and incorporates high value natural heritage features including watercourses, wetlands, grasslands, woodlands, mature trees, hedgerows and ditches, as part of the County's Green Infrastructure network.

HCL10 Objective 6:

To recognise the key role the Dodder River plays in the County's Green Infrastructure network by facilitating and supporting the continued development of the Dodder Valley (Zoning Objective 'HA – DV') as a linear park, greenway and an area of special amenity, recreational,

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heritage, geology, biodiversity and conservation value to include for the completion of the Dodder Green Route along the full length of the Dodder River.

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.1 Energy Performance in Existing Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

The House Extension design guide contains the following guidance on house extensions, including porches and rear 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.*

Porches:

- *A porch with a solid appearance (i.e. a greater proportion of brickwork or render to glazing) and a steeply pitched roof will usually be more appropriate for older houses and those of a more traditional design which have pitched roofs of 45° or more.*
- *A simple porch structure with a more lightweight appearance (i.e. a greater proportion of glazing to brickwork or render) and either a flat roof or a shallow pitch of 30° or less will be appropriate for a modern house with either a flat or shallow pitch roof and strong horizontal lines e.g. wide windows.*

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- *Where a house has an arched or other distinctly decorative entrance, it is best to design a porch structure that will enhance and reveal rather than obscure it.*
- *Avoid the use of fussy decorative details and features not typical of the house.*

Rear extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained*
- *Do not create a higher ridge level than the roof of the main house.*
- *The roofline of large extensions to the rear of single storey bungalows should not be visible from public view to the front or to the side of the bungalow.*

Relevant Government Guidelines

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

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage 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, (2009).

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

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).

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Circular PL 2/2014 Flooding Guidelines.

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Services and Drainage;
- Environmental Impact Assessment; and

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- Appropriate Assessment.

Zoning and Council Policy

The proposed development consists of extensions to the existing dwelling located near the front of the site. This part of the site is subject to zoning objective 'RES': *'To protect and/or improve residential amenity'*. New residential extensions to existing dwellings are permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010.

Visual and Residential Amenity

Demolition

The proposed demolition of structures including the shed, chimney, dormer window and porch are acceptable. In relation to the demolition of the shed the applicant states that the existing boundary wall would be maintained and patched/repared as necessary. A note should be added that advises 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.

Rear extensions

The proposed development would provide a rear extension at the ground and first floor levels. The ground floor extension would extend approx. 5.5m from the rear building line when viewed from the east and approx. 7.9m when viewed from the west. It would have a flat roof and extend approx. 3.4m in height. Dual pitched rooflights are proposed on its roof.

The extension would provide for dining, kitchen and lounge spaces. High level windows are proposed on the side elevations. The ground floor extension would be approx. 2.6m and 1.0m from the side boundaries. The subject site and neighbouring sites have reasonably long rear gardens and so the extension would not appear as overbearing (also due to being single storey).

The first floor extension would extend from the roof slope and measure approx. 5.7m by 4.6m. This extension would largely be to the west of the dwelling and be setback approx. 1.7m from the western side boundary. No windows are proposed on its western elevation. The extension would have a flat roof and not sit higher than the existing rear extension. So it would not be visible from the eastern boundary. This extension would provide for an ensuite.

Given the scale and design of the rear extensions they are considered acceptable in terms of residential amenity.

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Front porch

The existing front porch would be demolished and replaced with a mono-pitched roof porch. The porch would be approx. 2.7m to 3.4m in height. The porch would be approx. 8.3m from the front boundary and sufficient space would be left to park a car onsite.

Visual impact

The proposed materials and finishes would be napped render finish or zinc cladding. The proposed porch and first floor rear extension would be zinc cladding and the ground floor rear extension would be render. The porch and extensions would be contemporary in design. Given the mix of housing design and form along this road the proposed design is considered to be visually acceptable.

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 in terms of residential and visual amenity.

Services and Drainage

Water Services has reviewed the proposed development and requests further information in relation to surface water:

South Dublin County Council Water and Drainage section are concerned that the existing soakaway may be undersized to cater for the development.

1.1 The applicant is required to submit a report showing site specific soil percolation test results and design calculations for a proposed soakaway in accordance with BRE Digest 365 – Soakaway Design. The soakaway shall be sized to cater for all hardstanding areas on site.

1.2 The applicant is required to submit a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

- i) At least 5m from any building, public sewer, road boundary or structure.*
- ii) Generally, not within 3m of the boundary of the adjoining property.*
- iii) Not in such a position that the ground below foundations is likely to be adversely affected.*
- iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- v) Soakaways must include an overflow connection to the surface water drainage network.*

1.3 The applicant is required to consider incorporating other additional SuDS (Sustainable Drainage Systems) features for the development such as rain planter boxes, water butts, green roofs and rain gardens.

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Irish Water has reviewed the proposed development and has no objection subject to standard conditions. The reports from Water Services and Irish Water are noted. It is considered that Water Services concerns can be addressed via **condition**.

Screening for 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 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.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involved changes to an existing dwelling.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced 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.

Development Contributions

Previous extensions 74sq.m

Proposed extension 46sq.m

Assessable area = 46sq.m

SEA monitoring

Building Use Type Proposed: Residential

Floor Area: 46sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.0732 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

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it is considered that, subject to the conditions set out below, the proposed development would be in compliance with Council policy, 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 2016 - 2022 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).

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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.

3. Surface Water

Prior to the commencement of development the applicant/developer shall submit the following for the approval of the Planning Authority:

- (a) a report showing site specific soil percolation test results and design calculations for a proposed soakaway in accordance with BRE Digest 365 – Soakaway Design. The soakaway shall be sized to cater for all hardstanding areas on site.
- (b) a revised drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
 - (i) At least 5m from any building, public sewer, road boundary or structure.
 - (ii) Generally, not within 3m of the boundary of the adjoining property.
 - (iii) Not in such a position that the ground below foundations is likely to be adversely affected.
 - (iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
 - (v) Soakaways must include an overflow connection to the surface water drainage network.
- (c) The applicant/developer shall consider incorporating other additional SuDS (Sustainable Drainage Systems) features for the development such as rain planter boxes, water butts, green roofs and rain gardens.

REASON: In the interests of the proper planning and sustainable development of the area and in order to ensure adequate surface water drainage provision.

4. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €4,806.54 (four thousand eight hundred and six euros and fifty four cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made

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under Section 48 of the Planning and Development Acts 2000-2011 (as amended). The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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: 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/0099

LOCATION: 17 Butterfield Avenue, Rathfarnham, Dublin 14.

jjohnston

Jim Johnston,
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: 27/4/22



Eoin Burke, Senior Planner