

# Comhairle Chontae Atha Cliath Theas

PR/0694/22

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

**Reg. Reference:** SD22B/0148      **Application Date:** 12-Apr-2022  
**Submission Type:** New Application      **Registration Date:** 12-Apr-2022

**Correspondence Name and Address:** DublinPlanning.ie 77, Lower Camden Street, St. Kevin's, Dublin 2

**Proposed Development:** Extensions and alterations to existing house to include removal of garage to side; a ground floor flat roof extension to the rear; ground & first floor pitched roof extension to the side; new sloped roof over porch area to front and all associated site works.

**Location:** 62, Butterfield Avenue, Dublin 14

**Applicant Name:** Lee Watson & Aoife Gallagher-Watson

**Application Type:** Permission

(AOCM)

### Description of Site and Surroundings:

Site Area: stated as 0.055 hectares.

### Site Description:

The application site contains a two storey, semi-detached house, located on Butterfield Avenue in a row of similar dwellings. The surrounding area is residential in nature.

### Site visited:

18 May 2022

### Proposal:

**Permission** is sought for alterations the following:

- Removal of garage to side
- Single storey, flat roof rear extension
- Two-storey pitched roof side extension
- Addition of sloped roof over porch area
- All associated site works

### Zoning:

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*.

### Consultations:

Surface Water Drainage – **Further information** recommended

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Irish Water – **Further information** recommended

### **SEA Sensitivity Screening**

No overlap with relevant environmental layers

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

Submission expiry date – 16 May 2022

No submissions or objections received.

### **Relevant Planning History**

None recorded for subject site.

### **Relevant Enforcement History**

None recorded for subject site.

### **Pre-Planning Consultation**

None recorded for subject site.

### **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.*

*Section 11.3.3 Additional Accommodation*

*(i) Extensions*

*The design of residential extensions should accord with the **South Dublin County Council House Extension Design Guide (2010)** or any superseding standards*

### **Relevant Government Guidelines**

***Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities**, 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).*

### **Assessment**

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and visual amenity
- Services, Drainage and the Environment
- Appropriate Assessment
- Environmental Impact Assessment

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### Zoning and Council Policy

The site is subject to zoning objective 'RES' - *'To protect and/or improve residential amenity'*. A residential extension is 'Permitted in Principle' under this zoning objective.

### Residential and Visual Amenity

The proposal comprises the demolition of an existing side garage and construction of a two-storey side extension, single storey rear extension and sloped roof over porch. No other changes are noted from drawings.

### Two Storey Side Extension

The existing single storey, flat roof side garage would be demolished to facilitate a car port and construction of a two-storey, hipped roof side extension. The demolition of the garage is considered acceptable.

The extension would comprise the provision of a first-floor bedroom above the existing storage/utility room. This part of the extension would meet the front building line of the ground floor room below and would have a projecting pitched roof, connecting with an extension of the hipped roof of the main dwelling which would be slightly extended. It is noted that the adjoining dwelling has undergone similar works however, the first-floor extension has not incorporated a pitched roof front projection. While there would not be symmetry between the adjoining houses, this is not considered to be detrimental to the visual amenity of the area, and the proposed works would still be sympathetic to the character of the area.

An additional two-storey side extension would be constructed up to the eastern site boundary, recessed approximately 3.5m from the front building line of the existing dwelling, replacing the existing side garage. At ground floor level the extension would comprise a utility room, circulation space and living area to the rear. At first floor level a new master bedroom and ensuite would be provided. The extension would have a hipped roof, reaching a maximum height of 8.173m. The ridgeline of the main dwelling is 9.267m. The stepping down of the side extensions roof is considered acceptable and appropriate based on the recommendations of the House Extension Design Guide.

To lessen the potential overbearing impact of extensions, the House Extension Design Guide states that extensions, particularly if higher than one storey, should be located away from neighbouring property boundaries. The guide recommends that, *'as a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.'* Furthermore, it is stated that designs *'leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.'*

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In relation to the proposed extension, based on the above, a distance of 2.7m should be maintained to the site boundary, based on the recommendations of the Guide. It is noted that the existing garage has been constructed up to the eastern site boundary. Given that the extension would not extend past the rear building line of the adjoining property to the east, it is not considered necessary to achieve a distance of 2.7m in this instance as there would not be a significant impact of overbearing as a result of the works.

In regard to privacy and overlooking, it is noted that there are no dwellings located immediately to the rear of the property, with the rear of the property bounding a private green, accessible by residents of Butterfield Avenue exclusively. In this regard, the window serving the master bedroom on the rear elevation is considered acceptable. A window would be placed on the eastern side elevation serving a first-floor bedroom. There are no directly opposing windows on the neighbouring dwelling and therefore this window is considered acceptable.

### Single Storey Rear Extension

A single storey, flat roof, L-shape extension would be located to the rear of the dwelling providing a stepped down living area and kitchen extension. The extension would be part brick finish and part painted render finish. The extension would protrude a maximum of approximately 3.2m from the rear building line of the existing dwelling.

Given the orientations of the dwelling and the scale of the rear extension, it is not considered that there would be any significant negative impacts of overbearing, overshadowing or loss of light. On this basis, the rear extension is considered acceptable.

### Other Alterations

A sloped roof canopy would be placed on the front elevation, covering the front entrance and westernmost ground floor window serving the living room. This would not impact the front driveway which would remain in excess of 6m in length. These works are considered acceptable.

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### Services, Drainage and the Environment

Water Services has reviewed the application and have recommended the following **additional information**:

- 1.1 There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.*
- 1.1 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.*

Irish Water have reviewed the application and have recommended the following **additional information** is sought:

- 2.1 The applicant has not submitted foul water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: [datarequests@water.ie](mailto:datarequests@water.ie).*

It is considered that the recommended **additional information** can be requested by condition to ensure the adequate provision of SuDS and suitable foul water drainage layout.

### 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 a house extension.

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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.

### **Development Contributions**

#### **Development Contributions**

No existing habitable extensions

Proposed extensions: 85 sq.m

Assessable Area: 45 sq.m

### **SEA Monitoring Information**

Building Use Type Proposed: Residential extension

Floor Area: 85 sq.m

Land Type: Urban Consolidation

Site Area: 0.055 Hectares.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development proposed it is considered that, subject to 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. It is considered that the proposal would be consistent with Council policy in relation to residential extensions.

### **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.

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### **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.
- (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.

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(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 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.



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3. a). Prior to commencement of development, the applicant is required to submit soil percolation test results, design calculations and dimensions to the Planning Authority to demonstrate that the proposed soakaway is feasible in accordance with BRE Digest 365 – Soakaway Design. The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway to the Planning Authority. 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.
- b). In the event that the proposed soakaway is not feasible in accordance with BRE Digest 365 – Soakaway Design, the applicant shall submit the following for the written agreement of the Planning Authority:
- i) Soil percolation test results demonstrating a soakaway is not feasible
  - ii) A revised surface water layout drainage drawing for the development showing the inclusion of the following SuDS (Sustainable Drainage Systems) features, unless otherwise agreed in writing with the Planning Authority.
- REASON: In the interest of sustainable development and proper planning of the area.

### 4. Foul Drainage Plans

Prior to the commencement of development, the applicant shall submit to the Planning Authority for written agreement a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: [datarequests@water.ie](mailto:datarequests@water.ie).

REASON: To ensure compliance with Irish Water Standards codes and practices.

### 5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €4,702.05 (four thousand seven hundred and two euros and five 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 under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

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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](mailto: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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

**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.


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**REG. REF. SD22B/0148**

**LOCATION: 62, Butterfield Avenue, Dublin 14**

  
\_\_\_\_\_  
**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:** 7/6/22

  
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**Eoin Burke, Senior Planner**