

Comhairle Chontae Atha Cliath Theas

PR/0878/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0104 **Application Date:** 10-Mar-2022
Submission Type: Additional **Registration Date:** 16-Jun-2022
Information

Correspondence Name and Address: Vincent Brady, Banrach Consulting Engineer Unit
14, Block D, M4 Interchange Business Park,
Celbridge, Co. Kildare

Proposed Development: Removal of existing main roof and construction of
new roof with increased height to facilitate attic
conversion; dormer window to rear; construction of
first floor to existing rear extension with enclosed
small terrace; internal alterations and all associated
ancillary site works.

Location: 16, Butterfield Avenue, Rathfarnham, Dublin 14,
D14H3K5

Applicant Name: Peter O'Byrne

Application Type: Permission

(SW)

Description of Site and Surroundings:

Site Description:

The site contains a detached, two-story dwelling with a hipped roof. The area is characterised by a mix of properties (detached and semi-detached) with varying roof types. It is noted that the eaves and ridge heights of the properties adjacent to the dwellings are uniform. On the opposite side of the street, there are some bungalows, otherwise the eaves height of the dwellings appear uniform. There is some variation in ridge height.

Site Area: 0.0561 Hectares.

Proposal:

The proposed development will consist of:

- Removal of existing main roof and construction of new roof with increased height to facilitate attic conversion; dormer window to rear; construction of first floor to existing rear extension with enclosed small terrace; internal alterations and all associated ancillary site works.

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Zoning:

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

Consultations:

Surface Water Drainage: No objection, subject to **condition**.

Roads: No objections.

Submissions/Observations /Representations

None received.

Relevant Planning History

Application Site:

None.

Adjacent Sites:

None

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 Extension

Policy H18 Residential Extension

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 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 11.7.2 Energy Performance in New Buildings

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Section 11.8.0 Environmental Assessment

South Dublin County Council House Extension Design Guide, 2010

The House Extension design guide contains the following guidance on house extensions, including in particular:

- *Respect the appearance and character of the area;*
- *Provide comfortable internal space;*
- *Do not overlook, overshadow or have an overbearing impact on neighbouring properties;*
- *Conserve water and save energy where possible;*

For attic conversions and dormer windows:

- *Use materials to match the existing wall of roof materials of the main house;*
- *Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch;*
- *Locate dormer windows as far back as possible from the eaves line (at least 3 tile courses);*
- *Relate dormer windows to the windows below in alignment, proportion and character;*
- *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.*

Relevant Government Guidelines

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

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).

Assessment

The main issues to consider are:

- Zoning and Council Policy;
- Residential & Visual Amenity;
- Services and Drainage;
- Screening for Appropriate Assessment (AA);
- Screening for Environmental Impact Assessment (EIAR).

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Zoning and Council Policy

The proposed extensions are consistent with zoning objective 'RES', in which extensions to existing dwellings are permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan regarding Residential Extensions, and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010.

Residential & Visual Amenity

Removal of existing main roof and construction of new roof with increased height to facilitate attic conversion

The applicant is proposing to increase the existing roof height, through the provision of an increase in the height of the eaves from 5.515m to approx. 6.8m. The ridge height of the roof would also increase from 8.175m to 9.475m. The style of the roof would not change.

It is noted that the eaves and ridge heights of the properties adjacent to the dwellings are uniform. On the opposite side of the street there are some bungalows, otherwise the eaves height of the dwellings appear uniform. There is some variation in ridge height.

Visually, the Planning Authority has concerns that the increase in the height of both the eaves and the ridge of the roof would have an unacceptable impact and the resultant dwelling would dominate the streetscene in this area. The Planning Authority is particularly concerned with the elevated eaves height. It is noted that the applicant is seeking the increased height to facilitate an attic conversion, however, the Planning Authority is of the opinion that the design, as presented, is not acceptable. It is noted that, in addition to the rear dormer proposed, there are a number of different alterations that could be made to the roof to facilitate the proposal, for example:

- A half / dutch hipped roof could be proposed
- The ridge height could be raised slightly

As stated, in this instance the proposed alterations are not considered acceptable. However, the applicant should be requested to provide **additional information**, setting out a revised roof design that omits the raised eaves, reduces the overall height increase and potentially includes other roof alterations, such as the addition of a half hip.

The applicant should note that an internal height of 2.4m is required for the rooms to be considered habitable.

It is noted that bedrooms 2 and 3 meet the floorspace for a double bedroom and master bedroom respectively.

Dormer window to rear:

The description of the development states that there is a dormer window proposed to the rear.

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The House Extension Design Guide recommends that dormers are set at least 100mm from the ridge of the roof and at least 3 tile courses from the eaves.

The proposed floorplans and elevations appear to indicate a door to an outdoor amenity area at roof level and not a dormer.

The structure would be approx. 16m. from the rear boundary and, subject to suitable privacy screens for the outdoor space, it is considered the impact on visual and residential amenity of this element would be acceptable.

Construction of the first floor to existing rear extension with enclosed small terrace:

The enclosed small terrace is at second floor/attic level and, subject to a condition requiring privacy screens (timber/obscure glazed) to the sides, this element of the proposal is considered acceptable.

The applicant is also proposing to construct a first floor to the current extension over the existing single storey extension. This extension would be approx. 6m high and would have a flat roof. It would be approx. 9m long and 4.5m wide. The existing single storey extension has an eaves height of 2.691m and ridge height of 3.9m.

It is noted that the proposed rear contiguous elevation states that it is not possible to measure additional contiguous information for this site in relation to 14 Butterfield Avenue. It is apparent that there may be a single-story extension to this property, but this does not meet the boundary with the application site and it is situated centrally on the dwelling.

The proposed rear extension in its current form would have an unacceptable impact on the amenity of No14. The applicant is, therefore, requested to:

- Reduce the rearwards projection at the first floor
- Reduce the height, by either creating a monopitch roof or a roof with lower eaves/ridge height.

It is noted that these changes may impact the balcony/doors at attic level, which should also be amended where relevant.

The proposed bedroom would meet the floor space requirement for a master bedroom at present.

Internal alterations and all associated ancillary site works.

There are no other significant works, rear amenity space and driveway space would be as existing.

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Other Matters

It is noted that the applicant has provided one side elevation and one section. The dwelling is detached and the applicant is requested to provide both side elevations. The applicant is also requested to provide full details in the contiguous elevations to enable assessment of the impact on the adjacent properties.

Services and Drainage

Water Services has stated no objections, subject to conditions.

Screening for Appropriate Assessment

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the application seeking retention and permission, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Other Considerations

Development Contributions

- Attic conversion – habitable and First floor extension - 97.6sq.m
- Previous rear extension – 38sq.m
- 40sq.m exemption
- Assessable area is 95.6sq.m.

Monitoring for Strategic Environmental Assessment

Building Use Type Proposed Residential extension and family flat

Floor Area (sq. m) 97.6

Land Type Brownfield/Urban Consolidation

Site Area (ha) 0.0561

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Conclusion

In conclusion, the principle of an extension is acceptable, however, additional information is required regarding the roof design of the proposal, to ensure the proposed development would accord with the 'RES' land-use zoning and would not seriously injure the amenities of the area, and would accord with the South Dublin County Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.

Recommendation

Request additional information.

Additional information requested: 10 March 2022

Additional information received: 16 June 2022

Consultations:

Roads: No objections.

Water Services: No report received at time of writing.

Assessment:

Item 1:

The Planning Authority has concerns that the increase in the height of both the eaves and the ridge of the roof would have an unacceptable impact and the resultant dwelling would dominate the streetscene in this area. The Planning Authority is particularly concerned with the elevated eaves height. The applicant is requested to provide submit plans and elevations indicating a revised roof design which omits the raised eaves, reduces the overall height increase and potentially includes other roof alterations, such as the addition of a half hip(s).

Applicant's response:

Raised eaves omitted and overall height reduced. Half hip roof indicated. Dormer window proposed to the rear.

Assessment:

The eaves now remain at the original height and the ridge has increased by 0.5m. The proposed roof is now in keeping with the adjacent properties in terms of height and does not dominate the streetscene. The half hip profile is also considered acceptable and in keeping with the house extension design guide. The proposed dormer is situated below the ridge and off the eaves and is therefore in keeping with the house extension design guide. The dormer is to the rear and would not impact visual amenity.

The proposed roof alteration and dormer would not have a significant impact on the amenity of the adjacent occupiers.

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Item 2:

The proposed first floor rear extension in its current form would have an unacceptable impact on the amenity of No14. The applicant is therefore, requested to:

- Reduce the rearwards projection at first floor.
- Reduce the height, by either creating a monopitch roof or a roof with lower eaves / ridge height.

It is noted that these changes may impact the balcony / doors at attic level, which should also be amended where relevant.

Applicant's response:

First floor extension has been removed.

Assessment:

The extension has been removed and there is therefore no impact.

Item 3:

It is noted that the applicant has provided one side elevation and one section. The dwelling is detached and the applicant is requested to provide both side elevations. The applicant is also requested to provide full details in the contiguous elevations to enable assessment of impact on the adjacent properties.

Applicant's response:

Side elevations provided. Available contiguous details provided.

Assessment:

The side elevations are noted, given the reduction of the scale of the proposal and the removal of the first floor extension, the contiguous elevations are considered acceptable.

Other Considerations

Development Contributions

- Attic conversion – habitable - 20sq.m
- Previous rear extension – 38sq.m
- 40sq.m exemption
- Assessable area is 18sq.m.

Monitoring for Strategic Environmental Assessment

Building Use Type Proposed Residential extension

Floor Area (sq. m) 20

Land Type Brownfield/Urban Consolidation

Site Area (ha) 0.0561

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Conclusion

The proposed development is deemed to generally comply with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and the South Dublin County Development Plan 2016 – 2022, and with the attachment of the following conditions would accord 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 to be in accordance with submitted plans and details.

The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 16 June 2022, 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

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dwelling unit.

REASON: To prevent unauthorised development.

(c) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

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

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, 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

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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.

3. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €1,880.82 (one thousand eight hundred and eighty euros and eighty two 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). 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

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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.


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REG. REF. SD22B/0104

LOCATION: 16, Butterfield Avenue, Rathfarnham, Dublin 14, D14H3K5



Caitlin O'Shea,
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: 13/7/22



Eoin Burke, Senior Planner