

# Comhairle Chontae Atha Cliath Theas

**PR/0901/22**

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

**Reg. Reference:** SD22B/0087

**Application Date:** 24-Jun-2022

**Submission Type:** Additional  
Information

**Registration Date:** 24-Jun-2022

**Correspondence Name and Address:** Shane Brennan Hayfield House, Knocklyon Road,  
Dublin 16

**Proposed Development:** Ground floor extension to the rear, a two storey extension to the side with hipped roof; high level windows on the side ground floor; an attic conversion for storage purposes with the provision of a dormer roof to the rear of the main roof; roof lights to the front and side of the main roof; reconfiguring the ground floor layout; and all ancillary works necessary to facilitate the development.

**Location:** 37, Butterfield Avenue, Rathfarnham, Dublin 14

**Applicant Name:** Eoin & Aisling McKenna

**Application Type:** Permission

(AOCM)

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

Site Area: stated as 0.371 hectares.

#### Site Description:

The application site contains a two storey, semi-detached house, located on Butterfield Avenue, on a road with a mixture of dwelling styles and sizes. The surrounding area is residential in nature

#### Site visited:

5 April 2022

### **Proposal:**

**Retention** permission is sought for the following:

- Ground floor rear extension (36 sq.m)
- Garage conversion to playroom (11 sq.m)
- Two-storey hipped roof side extension (2 sq.m ground floor, 19 sq.m first floor 12 sq.m attic)
- Rear dormer to facilitate attic conversion to storage
- Roof lights on front and side roof slope

# Comhairle Chontae Atha Cliath Theas

**PR/0901/22**

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

- Internal layout alterations

### **Zoning:**

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

### **Consultations:**

Surface Water Drainage – **Additional information** recommended

Irish Water – No objection, **conditions** recommended

### **SEA Sensitivity Screening**

No overlap with relevant environmental layers

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

Submission expiry date – 30/03/2022

No submissions or objections received.

### **Relevant Planning History**

**SD20B/0052:** Single storey extension to the side and rear; internal renovations; an attic conversion for storage purposes with a dormer roof to the side and rear; roof lights and all ancillary works necessary to facilitate the development. **Permission granted.**

### **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).*

# Comhairle Chontae Atha Cliath Theas

PR/0901/22

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

*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

### **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 includes a single storey flat roof rear extension, two-storey side extension including conversion of existing garage and external utility room, rear dormer to facilitate attic storage and associated external alterations and site works. No other changes are noted from drawings.

### Side Extension

A two-storey side extension would be located along the eastern elevation of the property. At ground floor level, an existing garage would be extended and converted into the main dwelling, providing a playroom with a hipped roof bay window and adjoining w/c accessed via a utility room. The first-floor extension would provide an additional bedroom and en-suite. The extension would have a hipped roof, providing additional attic storage.

Fenestration and materials on the front elevation would match the existing dwelling. Two roof lights would be placed on the front roof slope. These works are considered acceptable.

An existing site layout has not been provided and the existing contiguous elevations are not considered to be accurate as they do not show a side access gate, located to the east of the existing garage. These should be sought as **additional information**. The eastern site boundary of the site is slanted, sloping away from the main dwelling. At the front, drawings state the side extension would be located only 0.3m from the site boundary. The House Extension Design Guide states that side extensions should respect the amount of space between it and neighbouring properties and leave a gap of at least 1m between the extension and side party boundary. In this regard the extension is not compliant with the Guide. It is considered appropriate to only extend up to the side of the existing garage and retain the existing side access gate, which is replicated

# Comhairle Chontae Atha Cliath Theas

**PR/0901/22**

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

on the other side of the party boundary. Revised drawings should be submitted as **additional information**, clearly maintaining the side access and gate.

Floor plans do not include key measurements and are not all at a common scale. It is not considered that the schedule of areas provided is accurate. The applicant should be requested to submit **additional information** including existing and proposed floor plans at a scale of 1:200 or 1:100, incorporating any necessary changes and showing key dimensions (width and length) as well as floor area to allow for an accurate assessment of the plans. The applicant should confirm that floor areas stated are correct, with particular reference to the ground floor area for extension

Based on the above, the principle of the side extension is considered acceptable subject to the submission of satisfactory **additional information**.

### Rear Extension

The rear extension would project approximately 4m from the rear building line of the main dwelling with a maximum height of approximately 3.3m. The extension would be approximately 10m in width, spanning from the west site boundary to within a maximum of 1.6m from the east site boundary. The extension would have a flat roof with three large roof lights, a high-level horizontal window on the east elevation and sliding doors and windows on the rear elevation. The extension would be rendered to match the existing dwelling. The extension would provide an open plan kitchen/dining area with family room.

The dwellings to the east and west have similarly sized rear extensions. Given this development and the orientation of the dwellings, it is not considered that there would be any negative impacts of overshadowing or loss of light experienced by neighbouring properties. It is considered that the design is compliant with the recommendations of the House Extension Design Guide. On this basis, the rear extension is considered acceptable.

### Attic Conversion and Rear Dormer

A flat roof rear dormer would be located on the rear roof slope, set up from the eaves and down from the ridgeline of the existing room. The dormer would have a standing seam cladding, or similar. There are no dwellings directly to the rear of the house and therefore there are no concerns regarding overlooking as result of the new vantage point provided by the dormer window. Given the location of the dormer, it is not considered that there would be negative impacts on overshadowing or loss of light. On this basis the dormer is considered acceptable.

From drawings it appears that a maximum ceiling height of 2.4m would not be achieved and the area would therefore not be considered habitable. It should be noted by the applicant that to be used as habitable space all building regulations must be complied with.

# Comhairle Chontae Atha Cliath Theas

PR/0901/22

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

### Services, Drainage and the Environment

Water Services have 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.*
  - i. Generally, not within 3m of the boundary of the adjoining property.*
  - ii. Not in such a position that the ground below foundations is likely to be adversely affected.*
  - iii. 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
  - iv. Soakaways must include an overflow connection to the surface water drainage network.*
- 1.2 Should a soakaway prove not to be feasible, then the applicant shall submit the following:*
  - a. Soil percolation test results demonstrating a soakaway is not feasible*
  - b. A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features.*

This **additional information** is considered appropriate to ensure adequate provision of SuDS measures.

Irish Water have reviewed the application and have stated no objection. Their report recommends **conditions** that all works comply with Irish Water standards codes and practices are complied with. These are considered appropriate in the event of a grant.

### 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. 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,

# Comhairle Chontae Atha Cliath Theas

**PR/0901/22**

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

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.

### **Conclusion**

It is considered that the current scheme does not comply with the policies and objectives of the Development Plan 2016 – 2022 or the House Extension Design Guide. **Additional information** should be sought in relation to the following:

- Amend the size of the side extension to ensure sufficient distance is maintained to the eastern site boundary
- Existing and proposed floor plans at a scale of 1:200 or 1:100 including key measurements
- Report showing site specific soil percolation test results and design calculations for the proposed soakaway
- Drawing showing plan and cross-sectional views, dimensions, and location of proposed soakaway or alternative options in the event a soakaway is not possible

### **Recommendation**

Request Further Information.

### **Further Information**

Further Information was requested on 21/04/22

Further Information was received on 24/06/22

### **Consultations**

Water Services – No objection, consultation via email 11/07/2022

### **Submissions/Observations**

No further submissions/observations received.

### **Assessment of Further Information**

The Further Information requested was as follows:

# Comhairle Chontae Atha Cliath Theas

PR/0901/22

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

1. *The applicant is requested to amend the extent of the two-storey side extension, ensuring that a sufficient distance is maintained to the side boundary, in compliance with the House Extension Design Guide requirements of 1m, or similar to reflect the character of development in the area. It is noted that there is an existing side access gate to the site and it is considered that this marks the appropriate separation distance that should be maintained, for residential and visual amenity.*
2. *It is noted that not all floor plans have been provided at the same scale and drawings are missing key measurements, impacting the assessment of the scheme. Floor areas provided do not appear to be entirely accurate. The applicant is requested to submit revised drawings of the proposed scheme, at a scale of 1:100 or 1:200, including key dimensions and floor areas.*
3. *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.*
4. *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.*
  - i. *Generally, not within 3m of the boundary of the adjoining property.*
  - ii. *Not in such a position that the ground below foundations is likely to be adversely affected.*
  - iii. *10m from any sewage treatment percolation area and from any watercourse / floodplain.*
  - iv. *Soakaways must include an overflow connection to the surface water drainage network.*

*Should a soakaway prove not to be feasible, then the applicant shall submit the following:*

  - a. *Soil percolation test results demonstrating a soakaway is not feasible*
  - b. *A revised surface water layout drainage drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features.*

### Assessment

The applicant has submitted drawings and reports as requested and a letter from the agent date stamped 24<sup>th</sup> June 2022.

#### *Item 1 – Separation Distance*

The applicant has stated in their cover letter that the site has been surveyed and measurements have been corrected on drawings to provide a separation distance of 1.032m to the eastern site boundary. This is considered acceptable. A **condition** should be attached to ensure that a minimum distance of 1m is maintained at all points to the eastern site boundary.

# Comhairle Chontae Atha Cliath Theas

**PR/0901/22**

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

### *Item 2 – Floor Plans*

The applicant has submitted revised floor plans indicating key dimensions for all elements of the proposed extension. These floorplans are considered acceptable.

### *Items 3 and 4 – Soil Percolation Tests and Soakaway Drawings*

The Drainage Department have reviewed the additional information submitted and have stated that both items of **additional information** have been satisfied.

### Conclusion

The development subject to conditions, is considered to be consistent with the zoning objective 'RES' – 'To protect and/or improve residential amenity', and the relevant provisions in the County Development Plan 2016-2022 and is considered acceptable.

### **Development Contributions**

#### **Development Contributions**

No existing habitable extensions

Ground Floor Habitable:	56.8 sq.m (including garage conversion)
First Floor Habitable:	18.8 sq.m
Non habitable Attic:	37.7 sq.m

Assessable Area:	35.6 sq.m
------------------	-----------

### **SEA Monitoring Information**

Building Use Type Proposed:	Residential extension
Floor Area:	113.3 sq.m
Land Type:	Urban Consolidation
Site Area:	0.371 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 extensions to dwelling houses.



# **Comhairle Chontae Atha Cliath Theas**

**PR/0901/22**

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

### **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 as amended by Further Information received on 24th 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 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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0901/22**

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

(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 construction activity commencing on site. Such noise sensitive locations should be provided with the following:

# Comhairle Chontae Atha Cliath Theas

**PR/0901/22**

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

- 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 €3,719.84 (three thousand seven hundred and nineteen euros and eighty 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 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 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 is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0901/22**

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

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.

**Comhairle Chontae Atha Cliath Theas**

**PR/0901/22**

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

**REG. REF. SD22B/0087**

**LOCATION: 37, Butterfield Avenue, Rathfarnham, 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:** 18/7/22

  
\_\_\_\_\_  
**Eoin Burke, Senior Planner**