

# Comhairle Chontae Atha Cliath Theas

**PR/0920/22**

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

**Reg. Reference:** SD22B/0239      **Application Date:** 27-May-2022  
**Submission Type:** New Application      **Registration Date:** 27-May-2022

**Correspondence Name and Address:** Ceardean Architects 9, Dolphins Barn, Dublin 8

**Proposed Development:** Demolition of existing side garage and replacement with a two storey extension to the side, a single storey extension to rear with attic dormer to the rear of the existing detached dwelling house, replacement attached garage/ shed to side and to widen the vehicular entrance to 3.6m and all associated site works.

**Location:** 186, Butterfield Avenue, Dublin 14

**Applicant Name:** Catherine & David Heeran

**Application Type:** Permission

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

#### Site Area

Stated as 0.0622 Hectares.

#### Site Description

The subject site is comprised of a detached, two storey dwelling with 2 No. entrances off Butterfield Avenue (one vehicular and one pedestrian) and front and rear gardens. The site directly adjoins No. 188 Butterfield Avenue to the east, is bound to the north by Butterfield Avenue, to the south by Nos. 1 and 3 Butterfield Crescent and to the west by Nos. 1, 3 and 5 Butterfield Park. The wider surrounding context of the subject sites includes the historical setting of nearby protected structures. The site is situated to the west of a Protected Structure Map (Ref. No. 228) Old Orchard House, Butterfield Avenue, Rathfarnham, and Protected Structure Map (Ref. Number 301) as Boden Park House, Scholarstown Road, Rathfarnham. The site is also located to the south of a Protected Structure Map (Ref. No. 224), 'Butterfield House, Rathfarnham'

The existing dwelling is comprised of a porch, entrance hall, living room, dining room, kitchen toilet and garage at ground floor level and 3 No. bedrooms, a family bathroom and toilet at first floor level. The dwelling has been subject to previous modification with the addition of a single storey extension to the rear (4 sq m). The dwelling has a hipped roof profile, with a sloped roof to the single storey rear extension and a flat roof to the garage.

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### **Proposal**

Permission is sought for development comprised of:

- Demolition of the existing side garage and single storey rear extension (totalling approximately 24 sq m).
- A Part one to part two storey extension to the side consisting of:
  - A two storey element projecting approximately 4m out from the existing dwelling with a length of approximately 7.5m and a hipped roof profile with an approximate ridge height of 8.7m. The proposed two storey side extension includes an accessible bedroom and an accessible bathroom at ground floor level and an ensuite bedroom with a walk-in closet at first floor level.
  - A single storey garage (9 sq m) projecting a further 2.5m out from the proposed two storey extension, with a length of 4.4m and a flat roof profile with an approximate 3.3m parapet height.
- A single storey extension to the rear projecting between 5.7m and 6.7m out from the existing dwelling (owing to the staggered rear elevation) and spanning a width of 12m and a flat roof profile with a parapet height of approximately 3.25m. The proposed single storey rear extension would result in an enlarged kitchen/living/dining room, utility room and toilet.
- Conversion of the attic space and the addition of a rear dormer spanning an approximate width of 4.6m and projecting approximately 3.5m out from the roof. The proposed attic level includes an ensuite bedroom with a walk-in closet/office.
- Elevational amendments in the form of:
  - Front Elevation – 1 No. window at ground floor level, 1 No. window at first floor level of the proposed two storey side extension and a door to the proposed side garage.
  - Side (west) Elevation – Removal of the existing chimney and the addition of 1 No. glazed patio door to the side elevation of the single storey rear extension.
  - Side (east) Elevation – No additional fenestration is proposed.
  - Rear Elevation – 2 No. glazed patio doors to the single storey rear extension, an access to the rear elevation of the single storey side garage, 1 No. additional window at first floor level of the rear elevation to the proposed two storey side extension and 1 No window to the rear dormer at attic level.
- Widening of the existing vehicular entrance from 3m to 3.6m.
- All ancillary works above and below ground.

### **Zoning:**

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

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### **Consultations:**

Drainage and Water Services Department – No report received at time of writing.

Irish Water – No report received at time of writing.

Roads Department – No objections subject to conditions.

Parks and Public Realm Department – No objection, subject to conditions.

### **SEA Sensitivity Screening**

Overlap indicated with *Protected structures 2016*.

The site is located to the west of a Protected Structure Map (Ref. No. 228) Old Orchard House, Butterfield Avenue, Rathfarnham and Protected Structure Map (Ref. Number 301) as Boden Park House, Scholarstown Road, Rathfarnham. The site is also located to the south of a Protected Structure Map (Ref. No. 224), 'Butterfield House, Rathfarnham' as detailed in the Development Plan 2016 – 2022 Book of Maps.

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

Final date for submissions/observations – 30<sup>th</sup> June 2022.

None received.

### **Relevant Planning History**

#### **Subject Site**

#### **SD21B/0059**

Single storey extension to the rear with two roof lights; conversion of the existing garage to a bedroom with replacement of garage door with new window; side extension on the first floor over the existing garage; removal of the existing chimney over the garage; widen vehicular entrance to 3.5m and all associated site works. **SDCC Decision:** Grant Permission, subject to conditions. **NB:** To date, this permission does not appear to have been enacted.

#### **SD21A/0210**

Subdivision of existing site to convert existing detached two storey dwelling to a pair of semi-detached dwellings; demolition of garage; construction of a new two storey three bedroom dwelling in the side garden with attic dormer and a single storey flat roof annex to the rear; reconfiguration of existing vehicular entrance with off-street parking and all associated site works. **SDCC Decision:** Refuse Permission.

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### Adjacent sites

**SD21B/0040** - 184, Butterfield Avenue, Dublin 14.

Demolition of existing single storey extension (35sq.m) and shed (24sq.m) to the rear and the construction of a new two storey extension to the rear with dormer at first floor level; construction of a new single storey extension to the side of the dwelling and a new shed to the rear; the application also includes for a new pedestrian entrance at the front and widening of existing vehicular access. **SDCC Decision:** Request Additional Information. **NB:** To date Additional Information has not been received.

### **Relevant Enforcement History**

None on record.

### **Pre-Planning Consultation**

None on record.

### **Relevant Policy in South Dublin County Council Development Plan 2016 - 2022**

#### *Section 2.4.1 Residential Extensions*

Policy H17 – Residential Consolidation:

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H17 Objective 1: To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

#### *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 2:*

- 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).

### **South Dublin County Council House Extension Design Guide (2010)**

The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on side extensions:

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### Side extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.*
- *Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.*
- *Do not incorporate blank gable walls where extensions face onto public footpaths and roads.*
- *Avoid the use of prominent parapet walls to the top of side extensions.*

### Rear Extensions:

- *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.*

### 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'.*

### 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; and*
- *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.*

### Overlooking and loss of privacy

- *Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.*

### Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

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### **Relevant Government Guidelines**

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

**Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

**Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas**, Department of the Environment and Local Government (2009).

**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).

### **Planning Note**

There are a number of discrepancies/deficiencies in the drawings provided by the Applicant:

- The Existing Elevations shown on Drawing No. 204 are incorrectly labelled, specifically the orientation of the side elevations is incorrect.
- Article 23(1)(c) of the Planning and Development Regulations states that *'the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate'*.

It is noted that Finished Floor Levels have not been included on the site layout plans and floor plans. However, the ground level and finished floor levels are shown on the elevational drawings.

The discrepancies and deficiencies in the drawings provided by the Applicant are not significant enough to prevent a complete assessment of the proposed development and it is considered that, should the Planning Authority be minded to Grant Permission for the proposed development, corrected drawings can be provided by way of **CONDITION**.

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### **Assessment**

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity,
- Impact on nearby protected structures
- Roads and access
- Service water and drainage.

### ***Zoning and Council Policy***

The development comprising a side and rear extension and widening of the vehicular entrance is consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan 2016-2022 and the House Extension Design Guide.

### ***Visual Impact and Residential Amenity***

Each element of the proposed development shall be assessed individually below, in the context of the potential impact on the residential and visual amenity of adjacent properties and the wider streetscape. The proposed development shall also be assessed against the relevant policy, including but not limited to the South Dublin County Development Plan 2016-2022 and the South Dublin County Council House Extension Design Guide (2010).

### ***Two Storey Side Extension***

The proposed development includes a two-storey side extension projecting approximately 4m out from the existing dwelling with a length of approximately 7.5m and a hipped roof profile with an approximate ridge height of 8.7m. The proposed two-storey side extension includes an accessible bedroom and an accessible bathroom at ground floor level and an ensuite bedroom with a walk-in closet at first-floor level.

The height of the proposed two-storey extension sits just below hipped roof ridgeline height of the existing dwelling at 8.4m and the roof profile mirrors the style, form and character of the existing dwelling. The front elevation of the proposed two storey extension is slightly set back approximately 1m from the existing front building line. The proposed fenestration of the extension is considered to integrate cohesively with the existing house and the surrounding area and would not have a negative impact on the visual and residential amenities of the area. Having regard to the dwellings on Butterfield Avenue, it is considered that the proposed side extension would cause no undue overbearing impact or overshadowing to the neighbouring properties. It is noted that the dwellings at this location are hipped roofed and the proposed extension is conducive and seamless to this site in scale, size and proportion and in context to the main dwelling, and are consistent with the guidance set out in Section 4 'Side Extensions' of the South Dublin County Council House Extension Design Guide (2010)

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### Single Storey Side Extension

The proposed development includes a single storey garage (9 sq m) projecting a further 2.5m out from the proposed two storey extension, with a length of 4.4m and a flat roof profile with an approximate 3.3m parapet height.

In general, the proposed single storey side extension adheres to the content of the South Dublin County Council House Extension Design Guide (2010). However, the following extract is of note:

*'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'*

The proposed single storey side extension is located approximately 0.5m from the party boundary with No. 1 Butterfield Park to the west. There appears to be a single storey shed type structure situated in the rear garden of No. 1 Butterfield Park almost directly abutting the party boundary in this location. The rear garden of No. 1 Butterfield Park appears to have a depth of approximately 20m.

In this instance, having regard to the receiving context of the subject site which includes dense tree cover and vegetation along the party boundary and the lack of fenestration in the western elevation of the single storey side extension, it is considered that the proposed single storey side extension will not adversely impact the residential and visual amenity of the subject site, adjacent properties, and surrounding streetscape.

### Rear Extension

The proposed single storey rear extension projects between 5.7m and 6.7m out from the existing dwelling (owing to the staggered rear elevation) and spans a width of 12m and has a flat roof profile with a parapet height of approximately 3.25m. The proposed single storey rear extension would result in an enlarged kitchen/living/dining room, utility room and toilet.

The proposed rear extension provides a separation distance of approximately 2m (at the nearest point) to the party boundary with Nos. 3 and 5 Butterfield Park and approximately 1m from the party boundary with No. 188 Butterfield Avenue.

It is noted that the proposed parapet height is slightly lower than the rear extension previously permitted under SD21B/0059 (approximately 3.9m), this is welcomed as it would further mitigate against the potential for overbearance to adjacent properties.

It is considered the proposal would not be significantly injurious to the amenities of the area. No undue issues of overshadowing are envisaged, the proposed rear extension provides for an enlarged kitchen/living/dining area with two sets of glazed patio doors to the rear garden.



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According to the drawings provided by the Applicant approximately 230 sq.m private amenity space remains; thus, the minimum private open space requirement is comfortably achieved in full for a house of this size. Overall, it is considered that the proposed single storey rear extension would not have an adverse impact on the visual and residential amenity of the subject site and adjacent properties.

### Attic Conversion and Dormer Extension

The proposed development includes the provision of an additional bedroom (ensuite) and walk-in closet/office at attic level. To facilitate the proposal, a dormer extension is proposed to the rear pitch of the roof spanning an approximate width of 4.6m and projecting approximately 3.5m out from the roof.

The following extract from the South Dublin County Council House Extension Design Guide (2010) in relation to the design of dormers is of note:

*'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);*

*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'.*

It is unclear from the drawings provided whether the proposed dormer sits sufficiently below the ridgeline of the existing roof and at least 3 No. tile courses above the eaves line. However, this can be clarified by way of **CONDITION** should the Planning Authority be minded to Grant Permission for the proposed development.

It is considered that the proposal would not be materially harmful to neighbouring residential amenity in terms of overshadowing and overbearing.

Although there is potential for the proposed dormer windows to overlook adjacent properties, it is not considered that it would be materially worse than views from the existing first floor windows and therefore would not give rise to unacceptable levels of overlooking.

Having regard to the overall scale and design of the proposed attic conversion and rear dormer extension, it is considered that the proposal would not have an adverse impact on the residential and visual amenity of the subject site and adjacent properties.

### ***Impact on nearby protected structures***

It is considered that the proposed development has been designed to retain the symmetry and style of the existing house and to avoid any negative impact on the front elevation and it appears to propose appropriate materials to allow the proposal to be minimal regarding overall impact on

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the streetscape. The removal of one of the existing chimney's stacks over the garage is not ideal as it contributes to the character of this established home, however in this instance it is deemed necessary for the side extension proposal, it is also noted that one chimney remains to the eastern side of the existing house.

The overall development is considered seamless to the site and at this location would not have a negative impact on nearby protected structures to the north and east.

### **Roads and access**

Having regard to the widening of the vehicular entrance to 3.6m, the Roads Department report states no objections subject to the following **CONDITIONS**:

- The vehicular access points shall be limited to a width of 3.5 meters.
- All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

The above requirements by the Roads Department can be applied by **CONDITION** in the event of a grant of permission.

### **Drainage and Water Services**

The Irish Water Network map appears to indicate that the subject site is serviced by a public mains and sewer. Should permission be granted for the proposed development, it is considered appropriate that standard drainage **CONDITIONS** should be attached relating to water supply, surface water and foul water drainage.

### ***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.

### ***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 widening of an existing vehicular entrance. 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,

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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.

### **Other Considerations**

<b>Development Contributions</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential Extension	156 sq m
Previous Extension	4 sq m
Assessable Area	120 sq m

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential Extension	156 sq m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.038 Ha

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development proposed it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposed extension would be in compliance with Council policy in relation to extensions to dwelling houses.

### **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.

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### **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, 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.  
(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

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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.

3. Prior to the commencement of development the Applicant shall provide drawings showing the following information to be agreed in writing with the Planning Authority:
  - (i) Existing and Proposed Site Layout Plans and Floor Plans with finished floor levels shown.
  - (ii) Elevational drawings clearly demonstrating that the rear dormer sits at least 100mm below the ridgeline of the existing dwelling and at least 3 No. tile courses above the eaves line of the dwelling.
  - (iii) The vehicular access point limited to a width of 3.5m

**REASON:** In the interests of proper planning and sustainable development.

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4. Sustainable Urban Drainage System

Prior to the commencement of development the Applicant shall submit for the written agreement of the Planning Authority a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Sample SuDS devices include green roofs, water butts, tree pits, rain gardens, filter strips and permeable paving amongst others. The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €12,538.80 (twelve thousand five hundred and thirty eight euros and eighty 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 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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NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

NOTE: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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

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**REG. REF. SD22B/0239**

**LOCATION: 186, Butterfield Avenue, Dublin 14**

*Colm Harte*

**Colm Harte,  
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:**

21/7/22



**Eoin Burke, Senior Planner**