

Comhairle Chontae Atha Cliath Theas

PR/0997/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0275 **Application Date:** 14-Jun-2022
Submission Type: New Application **Registration Date:** 14-Jun-2022

Correspondence Name and Address: Jonathan Roberts 127 Woodfield, Scholarstown Road, Rathfarnham, Dublin 16.

Proposed Development: Alterations to an existing two-storey dwelling and the demolition of an existing single storey side-garage to allow for construction of a new single story side-extension and side-garage. The proposed development includes spaces for a new shower room, bedroom and entrance lobby. The proposed works includes the relocation of the existing vehicular access and all the ancillary works associated.

Location: 147 Butterfield Park, Rathfarnham, Dublin 14.

Applicant Name: Julie Coates & Philip Hughes

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.0895 hectares.

Site Description:

The site contains a two-storey, semi-detached house located at the confluence of Butterfield Park and Ballyroan Road. The site is bound by mature hedgerow, with an entrance on Butterfield Park. A first floor side extension appears to have been constructed previously without the benefit of planning permission. The applicants have not sought retention of this structure and it is not clear when this was built.

The surrounding area is predominantly residential in nature.

Proposal:

Permission is sought for the following:

- Demolition of existing single storey side garage
- Construction of single storey side extension and garage
- Relocation of existing vehicular access

Zoning:

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

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Consultations:

Roads – No objection, **conditions** recommended

Public Realm – No objection

Water Services – No response received

Irish Water – No response received

SEA Sensitivity Screening

Indicates no overlap with relevant environmental layers.

Submissions/Observations /Representations

Submission expiry date – 18 July 2022

No submissions or observations were received

Relevant Planning History

S98B/0502: Single storey rear extension and front porch

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 2022-2028

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GI1 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in

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accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Section 6.8.2 Residential Extensions

Policy H14: Support the extension of existing dwellings subject to the protection of residential and visual amenities.

H14 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 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

12.7.6 Car Parking Design and Layout

Section 13.5.8 Residential Consolidation

Extensions

The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.

Relevant Government Policy & Guidelines

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

Regional Spatial and Economic Strategy, Eastern & Midlands Regional Assembly, 2019.

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).

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG, 2009.

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Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Residential and Visual Amenity
- Green Infrastructure
- Roads
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Policy

South Dublin County Development Plan 2022 - 2028

The site is subject to zoning objective 'RES' – *'To protect and/or improve residential amenity'*
A house extension (residential development) is permitted in principle under this zoning objective, subject to assessment against the relevant policies, objectives and standards set out under the current Plan.

Residential and Visual Amenity

An existing single storey garage would be demolished to provide single storey extension comprising a new entrance hall, toilet, bedroom and garage. It is noted that there is an existing flat roof first floor extension that appears to have been constructed without the benefit of planning permission.

The extension would have a flat roof and would be provided over two levels, with the entrance to the front and bedroom to the rear 0.25m above the level of the garage. The garage would have two rooflights, and a window and door on the rear elevation. The front elevation of the garage would comprise a large garage door. A **condition** should be included that this door incorporates vertical elements, as per the recommendations of the House Extension Design Guide. The entrance would be glazed, with a flat overhang porch area in zinc capping. To the rear, the bedroom would be served by a window, matching existing fenestration. The extension would have a render finish.

In principle the works are considered acceptable. A **condition** should be attached in the event of a grant limiting the garage use, restricting it from being converted or sub-divided into habitable accommodation. The extension and garage must all be used as ancillary to the main dwelling, and any subdivision or alternative use must be agreed by planning permission.

Green Infrastructure

The subject site is note located within a Core Area, Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028). The development will result in the loss of some existing boundary hedgerow

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and public grass verge as well as grass and some planting within the site boundary. It is noted that the existing driveway shall be grassed over, and new hedgerow planted, to infill the existing entrance and match the remaining boundary treatment. These interventions are considered acceptable. To mitigate the loss of grass to provide for the new driveway, a condition should be attached requiring the proposed driveway to incorporate permeable paving.

The applicant has not proposed any Sustainable urban Drainage Systems. A **condition** should be included in the event of a grant requiring the applicant to submit SuDS proposals for the written agreement of the Planning Authority prior to the commencement of development.

Public Realm have stated no objection to the development as it would not impact the existing street tree. Given the loss of grass verge, it is considered appropriate to include a **condition** that, at the applicants cost, the former driveway should be reverted to grass verge.

Roads

The Roads Department have reviewed the application and have stated no objection to the development. Their report recommends the following **conditions**:

- 1. The vehicular access points shall be limited to a width of 3.5 meters.*
- 2. The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
- 3. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.*
- 4. Any gates shall open inwards and not out over the public domain.*
- 5. 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.*

These **conditions** are all considered appropriate in the interests of traffic and pedestrian safety, with the exception of condition 5 which would be unenforceable.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is on Butterfield Park, an established residential area. The development comprises provision of a ground floor extension and garage.

Having regard to:

- the small residential scale of the development,
- the location of the development in an established 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.

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

Existing extensions:	37 sq.m
Proposed ground floor extension:	30.6 sq.m
Proposed garage:	42 sq.m
Assessable Area:	27.6 sq.m

SEA Monitoring Information

Building Use Type Proposed:	Residential extension
Floor Area:	72.6 sq.m
Land Type:	Urban Consolidation
Site Area:	0.0895 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 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.

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 2022 - 2028 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. Amendments.
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:
Revised plans that incorporate all of the following amendments-
 - (a) The garage door shall incorporate vertical elements, in compliance with the recommendations of the House Extension Design Guide
REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3.
 - (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

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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:

- 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.

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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.

4. Grass Verge

Within one year of the date of commencement of development, the applicant shall, at their own cost, revert the existing dish entrance to grass verge, to increase the extent of grass verge at this location.

REASON: In the interests of residential and visual amenity

5. Roads and Access

a) The vehicular access points shall be limited to a width of 3.5 meters.

b) The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.

c) Footpath and kerb shall be dish and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dish and widened to the full width of the proposed widened driveway entrance.

d) Any gates shall open inwards and not out over the public domain.

REASON: In the interests of pedestrian and traffic safety

6. Sustainable Urban Drainage Systems (SuDS)

Prior to the commencement of development, the applicant shall submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development, including as follows:

a) The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:

- Rain Gardens , Planter boxes with overflow connection to the public surface water sewer.

- Permeable Paving

- Grasscrete

- Green Roofs,

- Rain gardens

- Swales

- Permeable Paving

- Grasscrete

- Channel Rills

- Planter Boxes water butts

b) The proposed car parking area shall be constructed using a permeable surface such as Permeable Paving, Grass Paving or Porous Asphalt as part of SuDS (Sustainable

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Drainage System).

REASON: In the interest of providing suitable SuDS measures

7. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2,883.92 (two thousand eight hundred and eighty three euros and ninety 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 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/0275

LOCATION: 147 Butterfield Park, Rathfarnham, Dublin 14.

jjohnston

Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 8/8/22



Eoin Burke, Senior Planner