

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

PR/1475/21

Reg. Reference: SD21A/0156 **Application Date:** 11-Jun-2021
Submission Type: Additional **Registration Date:** 15-Oct-2021
Information

Correspondence Name and Address: Roger Bell, Bell Associates Executive House,
Whitestown Road, Rush, Co. Dublin

Proposed Development: Construction of two storey dwelling to the side of
dwelling; new storm water percolation area; new
doorway to rear access lane; new shed and associated
site works.

Location: 46, Slade View, Forest Hills, Rathcoole, Co. Dublin,
D24 KW66

Applicant Name: Sandra Dolan

Application Type: Permission

(DF)

Description of Site and Surroundings

Site Visit: 03/08/2021

Site Area: 0.04 Hectares.

Site Description:

The proposed site is a corner site located in the residential area of Forest Hills, Rathcoole. A public footpath is located to the south of the existing dwelling. Rear vehicular access is by a courtyard accessed off Stoney Lane, with front pedestrian access off Slade View. Slade View is a pedestrian only access road.

Proposal:

The proposed development comprises the following:

- Construction of two storey dwelling to the side of dwelling;
- new storm water percolation area;
- new doorway to rear access lane; new shed and associated site works.

Zoning:

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity' under the South Dublin County Council Development Plan 2016-2022.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Consultations:

Environmental Health Officer-No response
Roads Section- No response
Irish Water – Additional information requested
Water Services-Additional information requested
Chief Fire Officer- No response

Submissions/Observations/Representations

Final date for submissions 15/7/21. No objections received.

Relevant Planning History

Application Site:

SD05A/0887. Proposed detached two storey type dwelling house with rear and front pedestrian access all to the side garden, with shared communal car parking and all ancillary site works.

Refuse Permission

Adjacent sites:

None for adjacent site

Relevant Enforcement History

None recorded for subject site

Pre-Planning Consultation

None recorded for subject site.

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

Section 2.4.0: Residential Consolidation – Infill, Backland, Subdivision & Corner Sites

Policy H17 Residential Consolidation

Policy H17 Objective 3:

To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Table 11.20: Minimum Space Standards for Houses

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

Section 11.3.2 (i) Infill Sites

Development on Infill sites should meet the following criteria:

- *Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.*

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

- *A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.*
- *Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street.*
- *Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height).*

Section 11.3.2 (ii) Corner/Side Garden Sites

Development on corner and/or side garden sites should meet the criteria for infill development in addition to the following criteria:

- *The site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings,*
- *The dwelling(s) should generally be designed and sited to match the building line and respond to the roof profile of adjoining dwellings,*
- *The architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings,*
- *Where proposed buildings project forward of the prevailing building line or height, transitional elements should be incorporated into the design to promote a sense of integration with adjoining buildings and*
- *Corner development should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain.*

Policy H13 Private and Semi-Private Open Space

It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Policy H14 Internal Residential Accommodation

It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

Policy H15 Privacy and Security

It is the policy of the Council to promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

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

Regional, Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, 2019.

Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

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, (2008).

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Design Manual for Urban Roads and Streets, Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport, (2013).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009)

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research Establishment, (1991).

Assessment

The main issues for assessment are:

- Zoning
- Visual Impact and Layout
- Water Services
- Screening for Appropriate Assessment
- Environmental Impact Assessment

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Zoning

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity' under the South Dublin County Council Development Plan 2016-2022. The principle of the proposed development is therefore acceptable.

Visual Impact and Layout

Proposed Dwelling

- The proposed dwelling will join to unit number 46.
- The setback from the southern boundary of no. 46a is 1.5m to the rear of the dwelling, increasing to 2.1m to the front. This setback is deemed appropriate.
- An existing 2.1m boundary wall forms the south perimeter of the site, with a proposed 1.8m wall and gate to provide access to the rear garden of no. 46a. Bin storage will be accommodated forward of this wall and gate. This does not extend beyond the front of the dwelling and is therefore acceptable.
- The front of No. 46a is set back from the front property line by 6.2m. The adjacent No. 40 is setback by 8m. No. 40a is set 1.8m forward of the front building line of No.40. This breaks up the building line of the terraced block on the corner site and is viewed as an acceptable design element.
- The rear amenity area of 74sq.m (No. 46a) exceeds the 60sq.m requirement of the CDP for a three bedroom house.
- The rear garden of No. 46 will be 60sq.m. This is a 3 bedroom house and this also meets the rear amenity requirements as per the CDP.
- The ridge line of No. 46 is the same as that for No. 46a, which is 8m.
- The rear section of the ground floor No.46a extends c2.23m beyond the rear boundary building line of No. 46. This is acceptable as there are no side gable windows proposed which would impact on amenity or privacy. The applicant however has not provided an existing elevation of No.46. This shall be submitted by way of additional information.
- 2 ground floor southern gable windows are proposed to No. 46a, but no side gable windows to the habitable first floor bedrooms. The applicant shall redesign the layout to include for windows on the first floor of the habitable rooms of No. 46a to ensure passive surveillance of the park area to the south.
- The internal rooms dimensions meet the requirements of the 2007 Quality Homes for Sustainable Communities and is acceptable.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Parking and Boundaries

- A 900mm side boundary wall will separate the front of No's 46 and 46a. This is acceptable.
- A new access door is proposed to the rear boundary wall of No. 46 to enable access to the parking area. This is acceptable.
- The applicant notes that no parking can be provided due to the front being pedestrianised. They state that the rear courtyard will enable parking for the proposed dwelling. However, the parking in the rear courtyard is numbered and already allocated. The applicant shall identify where the proposed spaces for No's 46 and 46a will be provided by way of additional information. For a three bedroom house 1.5 spaces must be provided as per the CDP for zone 2 parking. The unit is located 400m from the Main Street in Rathcoole which is a bus corridor, therefore Zone 2 applies.

Having regard to the above, the planning authority has assessed the proposed development and considers that the proposed development will not have an adverse impact on the visual amenity of the area. Additional information is however requested for a number of items regarding design and parking. Subject to satisfactory AI being submitted the proposed development may conform with the current County Development Plan and could therefore be permitted subject to conditions.

Water Services

The Water Services Department has requested additional information regarding the surface water attenuation and SUDs for the site, which includes revised drawings.

Irish Water has requested water supply drawings to be submitted. A confirmation of feasibility regarding public infrastructure for water and foul is also requested to be obtained from Irish Water and submitted to the planning authority.

This information will be requested as additional information.

Screening for 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 applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Other considerations

Development Contributions

Permission for residential unit:

Floor space of 113sq.m - contributions required.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential new floor space	113sq.m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.04ha

Conclusion

Additional information has been requested by Planning, Design and Water Services. The Planning Authority is not satisfied that the proposed development currently complies with the guidance set out in the South Dublin County Development Plan.

Recommendation

Request Further Information.

Further Information

- Further Information was requested on 4-August-2021.
- Further Information was received on 15-October 2021.

Further information requested is as follows:

Item 1: Windows

2 ground floor southern gable windows are proposed to No. 46a, but no side gable windows to the habitable first floor bedrooms. The applicant is requested to redesign the layout to include for windows on the first floor of the habitable rooms of No. 46a to ensure passive surveillance of the park area to the south.

Item 2: Parking

The applicant notes that no parking can be provided due to the front being pedestrianised. It is stated that the rear courtyard will enable parking for the proposed dwelling. However, the parking in the rear courtyard is numbered and already allocated. The applicant is requested to identify were the proposed spaces for No's 46 and 46a will be provided by way of additional information. For a three bedroom house a maximum of 1.5 spaces should be provided as per the

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

CDP for zone 2 parking. The unit is located 400m from the Main Street in Rathcoole which is a bus corridor, therefore Zone 2 applies.

Item 3: Elevation

The applicant has not provided an existing elevation of No. 46. The applicant is requested to submit this by way of additional information.

Item 4: Soil Percolation

There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is requested 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.

Item 5: Drawings

The applicant is requested to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

(i) At least 5m from any building, public sewer, road boundary or structure. (ii) Generally, not within 3m of the boundary of the adjoining property. (iii) Not in such a position that the ground below foundations is likely to be adversely affected. (iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain. (v) Soakaways must include an overflow connection to the surface water drainage network where possible.

Item 6: Water Supply

The applicant has not submitted water supply drawings for the proposed development. The applicant is requested to submit a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie. All proposals are to comply with the Irish Water Standard Details for Water Infrastructure available at (<https://www.water.ie/connections/Water-Standard-Details.pdf>)

Item 7: PCE

In order to assess the if the public water infrastructure has sufficient capacity for the proposed development further information is requested as follows: The applicant shall engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure (both water and foul). The Confirmation of Feasibility (COF) must be submitted to the Planning Department as part of the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Further Consultations:

- *Water Services. No objection subject to conditions*
- *Irish Water. No objection subject to standard conditions*

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

- *Roads-Clarification of additional information*
- *Chief fire officer-no response*
- *EHO-no response*

Assessment

In response to Items 1 to 7 the applicant has submitted a number of documents. The Planning Authority has had regard to the submitted information as part of its assessment.

Item No. 1- Windows

Assessment:

The applicant has submitted revised drawings which outline two side elevation bedroom windows on the first floor. This is generally acceptable. On review of the revised drawings/plans, and notwithstanding the initial assessment above, the Planning Authority considers that to achieve the high-quality dual frontage design required at this location that the design would further benefit from an additional window opening placed in the ground floor side elevation at the living room. To further protect the dual aspect of the design and to ensure passive surveillance is achieved the side boundary wall should be a maximum height of 1.2m from the rear building line to the front boundary of the site and should be a maximum of 2m from the rear building line to the rear boundary. This will ensure passive surveillance is achieved at the public walkway. These items can be conditioned.

Item 2- Parking

Assessment:

In response to Item 2 the applicant referred to correspondence with the Planning Officer, which had no relevant outcome. Notwithstanding this, the Roads Department report states *'The applicant shall submit a revised site layout showing the location of allocated car parking spaces for existing and proposed development as mentioned in the submitted proposal option one by the applicant. Proposed carparking space's location shall not block road or any private garage entrance.'*

The Planning Authority considers the provision of the extra car parking in the rear courtyard to be feasible. It is noted that the pattern and character of the area is providing parking for the existing houses in the courtyard and the dwellings have pedestrian only access to the front. In this circumstances, it is considered that the provision of an additional infill dwelling and the associated car parking demand will have a negligible impact on the overall car parking demand for the generous rear courtyard. It is further noted that there appears to be very limited further opportunity for infill development in proximity to the site.

Item 3- Elevation

Assessment:

In response to Item 3 the applicant has submitted a rear elevation drawing for no.46.

The information submitted for Item 3 conforms with the appropriate policies of the County Development Plan, and the House Extension Guidelines 2010 and is considered acceptable to the Planning Authority.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

Item 4- Soil Percolation

Assessment:

In response to Item 4 the applicant has submitted a BRE report.

A report from Water Services recommends a condition regarding the soakaway. This will be provided as a suitable planning condition. Item 4 has been satisfactorily responded to.

Item 5- Drawings

Assessment:

In response to Item 5 the applicant has submitted a BRE report. A report from Water Services recommends that a condition regarding the soakaway be applied to any permission. This will be provided as a suitable planning condition.

The information submitted for Item 5 is deemed to be satisfactory.

Item 6- Water Supply

Assessment:

In response to Item 6 the applicant has submitted a PCE letter from Irish Water, and a water supply drawing.

The information submitted for Item 6 conforms with the appropriate policies of the County Development Plan, and the House Extension Guidelines 2010 and is considered acceptable to the Planning Authority.

Item 7- PCE

Assessment:

In response to Item 7 the applicant has submitted a Pre-Commencement Enquiry (PCE) letter from Irish Water.

The information submitted for Item 7 is deemed to be satisfactory.

Development Contributions

Permission for residential unit:

Floor space of 113sq.m - contributions required. No known previous applications approved.

Summary

In summary, the details submitted in response to the request for additional information are generally considered to be acceptable to the Planning Authority, subject to conditions being applied to any permission.

Conclusion

Having regard to the additional information submitted to the Planning Authority, the pattern of development in the vicinity and the design and layout of the proposed residential development, it is considered that, subject to conditions, the proposed development would not seriously injure

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

the amenities of the area or property in the vicinity, therefore, be in accordance 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 15th October 2021, 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. Dual Frontage Dwelling
Prior to the commencement of development, revised floor plans, boundary drawings and side elevational drawing shall be submitted for the written agreement of the Planning Authority clearly outlining the following modifications:
 - (1) Two additional window opes shall be placed in the ground floor southern elevation of the proposed dwelling (facing the public footpath), which shall provide light to the living room (living room, as notated on the ground floor plan).
 - (2) The two first floor bedroom windows in the southern side elevation shall be relocated. They shall be positioned directly above two of the ground floor window opes and shall be symmetrically aligned with these ground floor windows.
 - (3) The side southern boundary wall shall be:
 - (a) A maximum height of 1.2m for its length from the rear building line of the new dwelling to the front boundary of the site and
 - (b) A maximum height of 2m for its length from the rear building line of the new dwelling to the rear boundary of the site.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

For clarity: The southern boundary of the site has been deemed to be the boundary that abuts the public footpath that runs along the length of the parkland dividing the Slade View Development from the Peyton Development.

REASON: In the interest of achieving a high-quality dual frontage dwelling, to comply with County Development Plan policy and to ensure passive surveillance is achieved at the public walkway. All in the interests of proper planning and sustainable development of the area.

3. Permission Required for Class 1 & 3 Exemptions.

Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development (for clarity, the curtilage refers to the site outlined in red on the Site Layout Plan, which comprises of both the existing and proposed dwelling) without a prior grant of planning permission.

REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

4. Conditions.

Permission is hereby granted solely for the development which is set out in Statutory Public Notices and description of development under Section 9 of the planning application form submitted.

REASON: In the interest of clarity, consistency and the proper planning and sustainable development of the area.

5. Drainage - Surface Water.

The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

(a) Fully detailed foul and surface water drainage plans for the proposed development as approved showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or Irish Water,

(b) 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.

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

(d) The soakaway design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance and shall include documented evidence of infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

The revised plans shall provide for a soakaway to be located within the curtilage of the property and this shall be:

- (i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.
- (ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.
- (iii) a minimum of 10m from any sewage treatment percolation area.
- (iv) at least 10m from any stream / river / flood plain.

In addition only rainwater shall be discharged to soakaways.

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

6. Drainage - Irish Water.

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

(b) 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.

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.

7. Restriction on Use.

(i) The two dwelling houses (existing and new) shall each be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

(ii) No structures in the rear garden of these dwellings shall be used as separate dwelling units.

REASON: To prevent unauthorised development.

8. House Number.

The number of the house shall be 46a, and this number shall be placed on the completed house prior to its occupation in a manner so as to be clearly legible from the public road. In the event that this number already exists no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority:

- (a) a street name and dwelling/unit number plan to resolve any possible conflict and,
- (b) this has been acknowledged as acceptable in writing by the Planning Authority.

Following receipt of an acknowledgement of acceptability, the agreed number / name shall be placed on the completed house prior to occupation in a manner so as to be clearly legible from the public road.

The applicant is advised that the development number or name should

- (i) avoid any duplication within the county;
- (ii) reflect the local and historical context of the approved development;

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

- (iii) comply with Development Plan policy, the guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government,
- (iv) have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and;
- (v) preferably make exclusive use of the Irish language.

The applicant, owner or developer is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required plan.

REASON: In the interests of the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

9. External Finishes.

All external finishes shall harmonise in colour and texture with the adjoining dwelling at No. 46.

REASON: In the interest of visual amenity.

10. 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.

11. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no 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 be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor 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

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

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.

12. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €10,892.07 (ten thousand eight hundred and ninety two euros and seven 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 contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

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.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

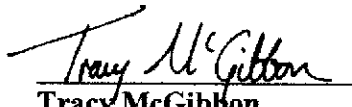
NOTE: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

Comhairle Chontae Atha Cliath Theas

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0156

LOCATION: 46, Slade View, Forest Hills, Rathcoole, Co. Dublin, D24 KW66

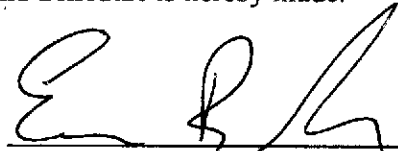


**Tracy McGibbon,
A/Senior Executive Planner**

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:

11/11/21


Eoin Burke, Senior Planner