



An Rannóg Talamhúsáide, Pleanála agus Iompair
Telephone: 01 4149000 Fax: 01 4149104

South Dublin County Council
Land Use, Planning & Transportation Department
Email: planning.dept@sdublincoco.ie

Collins Maher Martin
Dodder Park Road
Rathfarnham
Dublin 14

**NOTIFICATION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING
REGULATIONS THEREUNDER**

Final Grant Order No.:	0142	Date of Final Grant:	07-Feb-2017
Decision Order No.:	1239	Date of Decision:	15-Dec-2016
Register Reference:	SD16A/0171	Date:	23-Nov-2016

Applicant: Ciaran Reilly

Development: Construction of 8 3-storey, 4 bedroom semi-detached houses and 4 3-storey, 3 bedroom semi-detached houses at the back of Protected Structure RPS No. 323 with associated car parking spaces. The development also includes the demolition of shed & workshop located to the rear of the Protected Structure RPS. No. 323 and the provision of 18 new car parking spaces, the construction of a new access road from Main Street and all ancillary site development works and services connections.

Location: Main Street, Rathcoole, Co. Dublin

Time extension(s) up to and including:

Additional Information Requested/Received: 14-Jul-2016 / 31-May-2016, 23-Nov-2016

A Permission has been granted for the development described above, subject to the following conditions.

Conditions and Reasons:

- 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 23/11/2016, 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.
- No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority:
 - Fully detailed revised plans detailing and providing for all the requirements set out below, along with;
 - A commitment to carry out the development in accordance with these revised plans.
 The proposed development shall be subject to the following amendments:-
 - The house on plot 12 shall be no closer than 1.3m from the eastern boundary wall with the properties to the east, 9 - 10 Stoney Lane
 - The overall width of the access lane between the houses on plot 10 and 11 shall be no greater than 1.3m.



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(c) Houses on plots 9 and 10, and 11 and 12 shall form two pairs of semi-detached houses; in this regard, the false wall proposed at first floor front elevation between units 10 and 11 shall be omitted, while the conjoined roof design shall be omitted in favour of a half-hipped design which shall mirror that proposed to units 9 and 12.

(d) The following amendments shall be undertaken to the western ground floor elevation of the house on plot 9, (i) the proposed hall window shall be widened to be 1m in width, (ii) A new window, 1m wide x 1.2m in height shall be provided to the western elevation.

(e) The following amendments shall be undertaken to the northern elevation of the house on plot 1, (i) the hall window shall be widened to be 1m in width, (ii) a window of similar dimension to that serving the second floor en-suite shall be mirrored to the eastern side of the central window serving the stairs/landing, (iii) two brickwork panels shall be incorporated into the render to either side of the first floor window serving the landing. The panels shall reflect the positioning and dimensions of the windows located above with reference to the proposed ensuite window and the new window.

(f) All bathroom windows to the proposed development shall be permanently glazed with obscure glass.

(g) The opes serving the first floor rear bedroom windows to the houses on plots 1 - 8 shall be no greater than 1m in width.

(h) The dormer features to the front roof pitches of houses on plots 9 - 12 shall be hipped and pitched.

(i) space no 14 within the car park to the rear of the Protected Structure shall be omitted and replaced with a planting bay of similar width and dimension to the car parking space, containing a tree and understorey planting. A tree and understorey planting shall also be provided in the green area directly to the east of car parking space 9; all as indicated on CMM drawing no. FI-01.

REASON: In the interest of protecting residential amenity and improving visual amenity.

3. The pedestrian walkway alongside the house on Plot 9 shall be subject to the following amendments.

(a) The walkway shall have a consistent minimum width of 2.1m and shall be surfaced in concrete.

(b) A lamp standard providing 'white light' shall be erected at the mid-way point along the pedestrian walkway.

(c) The opening from the walkway to the southern boundary of the site with the adjoining open space at Forest Hills shall also be 2.1m in width.

(d) The opening shall remain permanently open and shall not be gated.

(e) A pedestrian gate providing access to the rear garden of the house on plot 9 shall be provided in the boundary wall of that property with the pedestrian walkway.

(f) The pedestrian walkway shall be constructed and completed prior to the first occupation of any houses on the site.

REASON: In the interest of promoting permeability within the wider Rathcoole area and to ensure compliance of the proposed development with Policies H7 Objective 1 and TM Policy 3 of the County Development Plan 2016 - 2022.

4. Pedestrian or vehicular gates shall not be permitted to the accesses to the residential part of the development from Main Street or from the pedestrian link to be provided from Forest Hills to the south.

REASON: In the interest of promoting permeability within the wider Rathcoole area and to ensure compliance of the proposed development with Policies H7 Objective 1 and TM Policy 3 of the County Development Plan 2016 - 2022.



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5. The drainage infrastructure, including the disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section and/or Irish Water as appropriate.

In this regard, no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority:

- (1) Fully detailed revised plans detailing and providing for all the requirements set out below, along with;
- (2) The written confirmation of the Council's Water Services Section and or Irish Water of their agreement to these revised plans, and;
- (3) A written commitment to carry out the development in accordance with the required revised plans and;
- (4) The receipt for all these requirements has been acknowledged in writing by Planning Authority.

The revised detailed plans required to be lodged with the Planning Authority shall provide for all of the following;

(a) Fully detailed foul and surface water drainage plans for the proposed development 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. In this regard any such drawings shall specifically indicate:

(i) A cross section of surface water drain from last manhole (S1 on Drawing 2318/01) to point of connection to public surface water sewer. The connection to the public surface water sewer must be a manhole connection and not a saddle connection. The drawing should include invert and cover levels at each manhole.

(ii) A cross-section of proposed foul drain from the last manhole (F1 on drawing 2318/01) to the point of connection to public foul sewer. The point of connection to public foul sewer should be a manhole and not a saddle connection. The drawing should also show the invert and cover levels at each manhole connection.

(b) Increase the foul drain size from 150mm to 225mm diameter from Manhole F5 to point of connection of public sewer.

(c) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

(d) The drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Council's Water Services Section or Irish Water.

(e) All drainage works for this development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from <http://environment.southdublin.ie> (click-publications then specifications) or the requirements of Irish Water (as may be amended from time to time).

(f) Submission of a report providing details of calculations for attenuation of surface water. The report shall detail (i) area of the site, (ii) area and permeability factor of roads/pathways, (iii) area and permeability factor of grass land, (iv) area and permeability factor of roofs/buildings, (v) the calculations of Qbar and what attenuation is required and what attenuation will be provided, (vi) show what attenuation will be provided for both a 30 year and 100 year storm event and how this is calculated. Calculations shall allow for a 10% increase in rainfall for climate change and use up to date Met Eireann rainfall data for the site.

(g) Based on item (e) a revised attenuation storage area such as stormtech or similar shall be provided for in a similar location to that proposed. In any event, the proposed attenuation storage area shall have a minimum storage capacity of 120 m3 and shall be located outside of the rootzone for the line of trees to be provided between the public open space strip and the



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bank of 9 car parking spaces to the north.

(h) A watermain layout in compliance with the SDCC specification for the Laying of watermains and Drinking Water Supply (available at www.sdcc.ie/sites/default/files/publications/sdcc-water-specification-jan-2012.pdf), the Building Regulations 2006 Technical Guidance Document B and the Irish Water Standard Details, (mandatory for all Irish Water Connection Agreement Offers issued after 6th June 2016 and available at <http://www.water.ie/help-centre/connections>).

REASON: In the interest of public health.

6. No development shall take place under this permission until the applicant, developer or owner has:

(i) First agreed with the Council's Parks and Landscape Services Section and subsequently lodged with the Planning Authority a detailed landscape plan with full works specification, and

(ii) This has been acknowledged by the Planning Authority.

This plan to include grading, topsoiling, seeding, paths, drainage, boundary treatment, planting and open space planting.

These works to be in accordance with South Dublin County Council's Guidelines for Open Space Development & Taking in Charge available from the Council's Parks and Landscape Services Section.

The agreed scheme shall be implemented in the first planting season after the commencement of development. Thereafter, the scheme shall be maintained in perpetuity.

REASON: In the interests of amenity, and the proper planning and sustainable development of the area.

7. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, 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 houses 1 - 8 without a prior grant of planning permission. The same restriction shall apply to Class 7 development to houses 9 - 12.

REASON: In order to ensure that a reasonable amount of rear garden space and front amenity strip is retained for the benefit of the occupants of the dwelling and in order to protect the residential amenity of the area.

8. (a) The applicant/developer shall employ a qualified archaeologist licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

(b) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

9. No development shall take place under this permission until the applicant, developer, or owner has lodged with the Planning Authority:

(i) Written confirmation and details of proposals agreed in writing with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as



referred to in the South Dublin County Council Development Plan 2016-2022, and

(ii) This has been acknowledged in writing by the Planning Authority.

REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2016-2022.

10. The external walls shall have a brick and plaster/nap finish and the roof shall be blue/black or dark grey in colour.

REASON: In the interests of visual amenity.

11. A. No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;
- (i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the [first residential unit], and
- (ii) This has been acknowledged in writing by the Planning Authority.

The said areas indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.

B. Continued membership of a Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the development.

C. No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

(i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above, and

(ii) This also has been acknowledged in writing by the Planning Authority.

D. Any changes to the status or nature of the Owners' Management Company shall be notified to the Council forthwith.

E. The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.

F. The 9 car parking spaces (10 spaces less 1 for planting area) to be shared between visitors to the residential development and the office element within the Protected Structure shall be maintained by the management company and signage erected indicating their shared use.

REASON: To ensure a proper standard of residential development and maintenance of the private areas within the development.

12. No dwelling unit shall be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.

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

13. No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

(i) A Public Lighting Scheme for the development as approved, designed to provide for high quality public lighting throughout the public realm of the site, prepared by competent public lighting design consultants to BS5489: European Lighting Standard EN13201 and the SDCC Specification for Public Lighting Installations in Residential and Industrial Developments;



Revision 2 dated 14/10/2016, along with:

- (ii) Written confirmation from the Council's Public Lighting Section that the scheme is fully in compliance with the above standards applicable, and
 - (iii) A written commitment to implement the agreed Public Lighting Scheme in full, and
 - (iv) All the above requirements have been acknowledged in writing by the Planning Authority.
- Completed Lighting Design and Electrical designs to serve the entire development including details of the overall height of all proposed equipment shall be lodged with the Public Lighting Scheme.

The external lighting scheme shall be designed to minimise potential glare and light spillage and shall be positioned and/or cowled away from residential properties. No lighting column shall be located within the eventual canopy spread of any proposed tree. The public lighting design consultants should consult with the Council's Parks section in this regard.

In addition, no dwelling unit shall be occupied until the public lighting provided is operational fully in accordance with the agreed Public Lighting Scheme for the overall development. The applicant, owner or developer may consult with the Council's Public Lighting Section and Public Realm Designer before lodging the required plan for agreement.

REASON: In the interests of public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.

14. Each proposed residential unit shall be used and occupied as a single dwelling unit and shall not be sub-divided or used for any commercial purposes.
REASON: To prevent unauthorised development.
15. All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. A 1.5 strip measured from the front elevation of the proposed houses shall be reserved in perpetuity for the location of ducts for such services. No gate, gateway, railing, wooden fence, wall or planting other than grass shall be permitted within this service strip. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.
REASON: In the interests of the visual amenities of the area and proper planning and sustainable development of the area.
16. No development shall take place under this permission until the applicant, developer, or owner has lodged with the Planning Authority:
- (i) A street naming and dwelling/unit numbering scheme, for the approved development that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme, and
 - (ii) This has been acknowledged in writing by the Planning Authority.
- Following receipt of an acknowledgement of the agreed scheme, the agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a manner to be clearly legible, and in accordance with Council requirements.
- The development name should;
1. Avoid any duplication within the county of existing names, and
 2. Reflect the local and historical context of the approved development, and
 3. Comply with;
- (a) Development Plan policy, and
 - (b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and

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(c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and

(d) Preferably make exclusive use of the Irish language.

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

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

17. 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.

18. No Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) shall be operated on or adjacent to 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 work outside these hours 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 un-necessary noise outside the hours stated above.

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.

19. The developer shall pay to the planning authority a financial contribution of €142,540.15 (one hundred and forty two thousand five hundred and forty euros and fifteen 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 2016 - 2020, 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 2016 - 2020.

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.

20. Pursuant to this decision, no development shall be commenced until security for the provision, satisfactory completion and maintenance, to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), of roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development, has been given by:

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(A) Lodgement of a cash deposit of €80,328.00 (eighty thousand three hundred and twenty eight euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County Council and applied by South Dublin County Council at its absolute discretion, if roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), or

(B) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of €96,516.00 (ninety six thousand five hundred and sixteen euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development.

REASON: To ensure that a ready sanction may be available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

NOTES-

Note 1: The developer is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

Note 2: To protect the amenities of the area, 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.

Note 3: The developer is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

Note 4: In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

Note 5: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with IW prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

Note 6: The applicant/developer is advised that, where conditions require further details to be lodged before development commences, each individual condition should be responded to separately. Compliance submissions required by conditions of this permission which address multiple requirements should not be submitted.




Comhairle Contae
An t-Éirinn Theas
South Dublin County Council

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- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. Please log onto www.localgov.ie and click on BCMS link.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1: Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.


for Senior Planner 07-Feb-2017

