

Comhairle Chontae Atha Cliath Theas

PR/0007/22

Record of Executive Business and Chief Executive's Order

Re: Amendment under Section 146A of the Planning and Development Act 2000 (as amended) – Register Reference SD21B/0532.

Planning permission was granted under Register Reference SD21B/0532 for the demolition of garage and chimneys; rear dormer roof extension with rooflights; new rooflights to existing house; construction of pitched and flat roofed single storey extension to side and rear with roof lights; construction of garden room and shed to rear with rooflight; widening of vehicular entrance in front boundary wall; SuDS drainage and all associated landscaping and site development works by Order dated 13/12/2021. Condition no. 2 attached to the grant of permission stated:

Access Arrangements.

(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.

REASON: In the interests of public and traffic safety.

However, following further consideration and discussions with the applicant's agent and the Council's Roads Department it is considered that the condition should be amended to read as follows:

Access Arrangements.

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

(B) 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.

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

REASON: In the interests of public and traffic safety.

Under Section 146A of the Planning & Development Act, 2000 (as amended), a planning authority may amend a planning permission granted by it for the purposes of –

- (i) Correcting any clerical error therein,
- (ii) 'facilitating the doing of anything pursuant to the permission or decision where the doing of that thing may reasonably be regarded as having been contemplated by a particular provision of the permission or decision or the terms of the permission or decision taken as a whole but which was not expressly provided for in the permission or decision, or
- (iii) otherwise facilitating the operation of the permission or decision.'


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It is considered that this amendment is not material in terms of the development or the decision and will facilitate the operation of the permission.

Therefore, it is recommended that Condition 2 be amended accordingly.



Jim Johnston,
Senior Executive Planner

ORDER: That Condition no. 2 attached to the grant of permission in respect of planning application Register Reference SD21B/0532 be amended as per above recommendation and that a revised Notification of Grant be issued.

Date: 6/1/22



Eoin Burke,
Senior Planner