

Comhairle Chontae Atha Cliath Theas

PR/0042/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0106 **Application Date:** 06-May-2021
Submission Type: Additional **Registration Date:** 07-Dec-2021
Information

Correspondence Name and Address: Darren McGill 28-30, Rathmines Park, Rathmines, Dublin 6

Proposed Development: Demolition of existing child care facility; construction of 2 semi-detached, 3-bed residential units and the reinstatement of existing unit from child care building back to former 3 bed residential unit; carparking, landscaping and all associated site works.

Location: 147, Monalea Grove, Dublin 24

Applicant Name: Peter & Barbara Thornberry

Application Type: Permission

(CM)

Description of Site and Surroundings:

Site Description:

The site is located at the end of a cul-de-sac and accommodates a semi-detached house which has been extended to double its original width, and with single-storey accommodation adjoining. The original house and the single-storey adjoining building have been in use as a crèche. In front of the site, there is a generous turning area being used for on-street parking, and an area of planting. To the east of the site, a continuous boundary wall separates the cul-de-sac and neighbouring roads from Ballycullen Road, and there is no cycle/pedestrian or vehicular access through.

Site Area: 0.074 Ha.

Site Visit: 7/6/2021

Proposal:

Demolition of existing child care facility, construction of 2 semi-detached, 3-bed residential units and the reinstatement of existing unit from child care building back to former 3 bed residential unit; carparking, landscaping and all associated site works.

The proposal is therefore for 3 units in total.

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Zoning

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

Consultations:

Environmental Services	Recommends request for Additional Information.
Roads	Recommends request for Additional Information.
Irish Water	Recommends request for Additional Information.
Environmental Health Officer	No objection, subject to conditions.

Screening for Strategic Environmental Assessment

No overlap with the relevant environmental layers.

Submissions/Observations /Representations

A third party has noted that the red line as indicated on the Site Layout Plan appears different to the red line indicated on the Site Location Map, and that the parking area and bin store may therefore encroach on publicly owned land. This is addressed in the assessment below.

Relevant Planning History

SD09A/0297 – Permission **refused** by SDCC and then **granted** by An Bord Pleanála, for change of use from crèche to private residence by demolition of existing 2-storey side extension and garage; restoration of 147 Monalea Grove as a 3-bed semi-detached house with a single storey rear extension, entrance porch, entrance drive and off-street, car parking; 2 new 3-bed, semi-detached houses with entrance drives and off-street car parking on site to side of 147 Monalea Grove. Note: This permission has withered and works were not undertaken.

The initial reason for refusal from South Dublin County Council related to width of the separating side passage between the proposed dwellings, which was proposed as 1.2 metres. The County Development Plan then in effect included a requirement for a 2.3m separation.

SD09A/0297/EP – Extension granted to the above permission.

SD09A/0297/FEP – Further extension of permission refused, as the proposal did not comply with the legislative requirements for a further extension of permission under s.42 of the Planning and Development Act 2000, as amended.

Relevant Enforcement History

None found in preliminary search.

Pre-Planning Consultation

None.

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Relevant Policy in South Dublin County Development Plan (2016-2022)

Chapter 1 Core Strategy

Policy CS1 Objective 1

Policy CS2 Objective 5

Chapter 2 Housing

Section 2.4.0 Residential Consolidation

Policy H17 Residential Consolidation

Chapter 11 Implementation

Section 11.3.0 Residential

Section 11.3.2 Residential Consolidation

(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.
- 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).
- Subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops.
- Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area.

Relevant Government Policy

Ministerial Guidelines and Policy

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Project Ireland 2040 National Planning Framework, Government of Ireland (2018).

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

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

Rebuilding Ireland: Action Plan for Housing and Homelessness, Government of Ireland (2016).

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).

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

Urban Design Manual, Department of the Environment, Heritage and Local Government, (2008).

Urban Development and Building Heights Guidelines for Planning Authorities, (2018)

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).

Departmental Circulars, Department of Housing, Planning and Local Government (2020) – as listed:

- PL02/2020: Covid-19 Measures
- PL03/2020: Planning Time Periods
- PL04/2020: Event Licensing
- PL05/2020: Planning Time Periods
- PL06/2020: Working Hours Planning Conditions
- PL07/2020: Public Access to Scanned Documents

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- PL08/2020: Vacant Site Levy
- Circular NRUP 02/2021 - Residential Densities in Towns and Villages

Assessment

The main issues for assessment are:

- Land Ownership;
- Zoning and Council policy;
- Visual impact;
- Residential amenity;
- Access, Transport and Parking
- Water services;
- Environmental Health;
- Environmental impact assessment;
- Appropriate assessment.

Land Ownership

A third party has alleged that the site layout plan indicates development outside the ownership of the applicant. This is not clear from the Site Layout Plan. A **condition** of permission can be applied to obtain a revised Site Layout Plan, if necessary. Otherwise, the applicant could comment on this as part of **additional information** if such is requested. Development on this site should not encroach on the publicly owned planted space directly north of the site, and any grant of permission would not entitle the applicant or developer to make such an encroachment.

Zoning and Council Policy

The proposed development is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. Infill residential development is permissible in principle under this zoning objective.

Visual Impact

The proposed development would see the demolition of an existing extension and single-storey building to side, and restoration of the original semi-detached house. The demolition would also facilitate the construction of a new pair of semi-detached houses, to the side of the existing house. Each house would be provided as a 2-storey house with hipped roof, and single-storey flat-roofed rear return.

The houses would fit with the character of the area, and would keep the existing building line. The new houses and restored house would have no negative impact on any adjoining properties in terms of visual impact.

Each unit would include a single-storey rear return. Given the depth of the proposed returns, and the arrangements for parking to the front, it is considered appropriate that in the event of a grant

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of permission, that exempt development rights for domestic extensions are suspended by **condition**, to safeguard residential amenity.

Residential Amenity

The proposed development provides for 2 3-bed houses and restoration of the existing house to its original scale. Each house and its associated private amenity space adhere to the South Dublin County Development Plan 2016 - 2022 standards contained in Table 11.20.

The development has been assessed for room sizes against the 'Quality Housing for Sustainable Communities - Best Practice Guidelines' (2007). Some bedrooms fall short of the appropriate standards; however, noting the provision in section 11.3.2 (i) of the South Dublin County Development Plan 2016 - 2022 for flexibility in these standards, subject to overall residential amenity being safeguarded, I am content that the proposed development would provide adequate amenity for potential occupants.

Access, Transport and Parking

The proposed development is provided with 3 car parking spaces, 1 per each unit, plus an additional 'visitor' space. The site is a 5 minute walk from the bus stop on Ballycullen Road, and serviced by the 49 and 65B routes, which are half-hourly and hourly services respectively (although, this bus stop is about 10 metres from the site, on the other side of the boundary wall). This development is located in 'Zone 1', which has a maximum parking provision rate of 2 spaces per unit, under the development plan.

The Roads Department has recommended a request for additional information as follows:

1. The applicant shall submit a revised layout showing parking arrangement of 2 on-curtilage car parking spaces for each dwelling alongside a swept path analysis showing how parked vehicles can access and egress the site safely.
2. The applicant shall consider providing separate vehicular accesses to each dwelling, or a shared surface by means of a "way leave" with a vehicular access (3.5m to 4.2m) wide.
3. A revised layout of not less than 1:100 scale, showing boundary walls at vehicle access points limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.

The South Dublin County Development Plan 2016 - 2022 provides for a *maximum* of 2 car parking spaces per 3-bedroom house, and there is off-street parking in the area. The applicant is constrained on this occasion by planting in the public green space to the front of the site, preventing them from proposing a layout similar to that of SD09A/0297. It is considered

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appropriate that the applicant is requested to respond to the above points by way of **additional information**.

Water

Both the Environmental Services Department and Irish Water have sought **additional information** in relation to layout of water services and connections to and through the site. The Irish Water report additionally seeks that the applicant obtain a confirmation of feasibility from Irish Water. It is considered appropriate that the applicant is requested to respond to these issues by way of **additional information**.

Environmental Health

The HSE Environmental Health Officer has stated no objection subject to standard conditions relating to protection of air quality and noise limits during construction. This is acceptable.

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

Other Considerations

Development Contributions

This is an application for demolition of some existing structures, and provision of the following:

- No. 147: Restoration and change of use of an existing crèche (originally a house) to residential use as a single 3-bed dwelling (125sq.m)
- No. 147a: New 3-bed house (112sq.m)
- No. 147b: New 3-bed house (115sq.m)
- Total Assessable Area (incl. change of use): 352sq.m

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SEA Monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential	352
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.074

Conclusion

The proposed development is acceptable in principle, given the land-use zoning objective and lack of detrimental visual impact on adjoining properties. There are a number of issues which require resolution, however, and these can be dealt with by additional information.

Recommendation

Request Additional Information.

Additional Information

Additional information requested on 30th June 2021 and received on 7th December 2021.

The applicant has revised the proposal as follows:

- In the initial development, the development was described thus:
 - o Demolition of existing child care facility,
 - o construction of 2 semi-detached, 3-bed residential units and
 - o the reinstatement of existing unit from child care building back to former 3 bed residential unit; carparking, landscaping and all associated site works.

- As part of additional information, the applicant has altered the development applied for as follows:
 - o Construction of 1 detached 4-bed residential unit and
 - o The reinstatement of existing unit from child care building to a semi-detached 4-bedroom house.

Further Consultations

Environmental Services
Public Realm
Roads

Further Observations / Submissions / Representations

None.

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Relevant Statutory Policy

In addition to that noted during the initial assessment:

Policy H8: It is the policy of the Council to promote higher residential densities at appropriate locations and to ensure that the density of new residential development is appropriate to its location and surrounding context.

H8 Objective 7: To facilitate, in limited locations, four and five bed detached homes on lands that are appropriate to low density residential development.

Assessment of Additional Information

Zoning and Council Policy

Arising from the changes to the proposed development, it is necessary to revisit some of the initial assessment, although this is not covered by any RFI item.

As previously noted, the 'RES' zoning supports infill development. Policy H8 Objective 7 (see above) facilitates 4-bed detached homes in limited locations only. It is considered acceptable in this instance to permit 2 4-bed houses on a site which is unlikely to accommodate additional smaller units, as found in the initial assessment.

Residential Amenity and Visual Impact

The revised proposals meets the requisite standards under the 2007 Quality Housing for Sustainable Communities guidelines, and are provided with adequate rear gardens. In terms of visual impact, they would fit into the character of the area.

Unfortunately the proposal would present a blank façade to Ballycullen Road, a road which has no direct frontage from nearby houses and is an example of a poor, uninviting streetscape. There is a bus stop in the immediate area and pedestrians do have reason to use this stretch of road despite its unfriendly setting. The side elevation of No. 147A should provide for passive surveillance of the street. It is therefore reasonable to provide by **condition** that bedrooms 3 and 4 of No. 147A would have windows in the east-facing elevation.

The private amenity space for the proposed No. 147 and 147A houses is now 107sq.m and 203sq.m respectively. There is therefore no need to de-exempt rear extensions by condition of permission.

Item 1

Development on this site should not encroach on the publicly owned planted space directly north of the site, and any grant of permission would not entitle the applicant or developer to make such an encroachment. A third party has alleged that the site layout plan indicates development outside the ownership of the applicant, and it is not clear from the Site Layout Plan whether the proposal would or would not encroach upon said land. The applicant is requested to submit a

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detailed Site Layout Plan showing the development contained entirely within the lands in their ownership.

Response

The applicant has provided a revised Site Layout Plan and demarcates the boundary between their site and the publicly owned green space to the north.

Assessment

The response is acceptable. A grant of planning permission does not provide a legal right for the applicant to build on land that is not in their control/holding. It is satisfactory at this stage to accept the applicant's representation that the development would not encroach on public space. Note to be attached in relation to Section 34(12) of the Act.

Item 2

The applicant is requested to respond to the following items raised by the Roads Department:

- (a) The applicant is requested to submit a revised layout increasing the parking arrangement to up to 2 on-curtilage car parking spaces for each dwelling alongside a swept path analysis showing how parked vehicles can access and egress the site safely.
- (b) The applicant is requested consider providing separate vehicular accesses to each dwelling, or a shared surface by means of a 'way leave' with a shared vehicular access.
- (c) The applicant is requested to provide a revised layout and elevations, of not less than 1:100 scale, showing any boundary walls at vehicle access points to be limited to a maximum height of 0.9m, and any boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.

Response

The revised development provides for 2 dwellings (rather than 3), with 2 in-curtilage car parking spaces each provided. Access to the easternmost dwelling (No. 147A) would be via a right of way/shared driveway across the front of the westernmost dwelling (No. 147). The Roads Department has assessed the submission.

Assessment

The Roads Department accepts the proposed layout and recommends standard conditions in relation to boundary walls, kerbs and gates. The Roads report conclusion is noted and the submission is acceptable.

Item 3

The applicant is requested to:

- (a) Submit a drawing showing the surface water layout for the development up to and including the point of connection to the public sewer. The drawing should include the location of all Aj's, manholes, pipe size, material type and direction of flow.

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- (b) Submit a drawing showing what SuDS (Sustainable Drainage Systems) are proposed for the developments such as permeable paving, soakaways, tree pits or other such SuDS. If a soakaway is proposed for the developments and subject to suitable ground conditions submit a report showing percolation tests results for a soakaway of each house as per BRE Digest 365 Standards. Submit a drawing in plan and cross sectional view showing design details of proposed soakaway/s as per BRE Digest 365 standards. Soakaways shall have an overflow connection to the public surface water sewer where this can be practically achieved.
- (c) Include water butts in proposed development as part of SuDS (Sustainable Drainage System).

Response

The applicant has provided a proposed surface water layout and soakaway detail as per (a) and (b). However, no percolation test has yet taken place. The Environmental Services Department has assessed the submission.

Assessment

The Environmental Services Department has recommended refusal on the basis of lack of percolation testing and therefore flood risk. This is not consistent with decision-making in generally in South Dublin, and percolation testing can be carried out prior to development, with an alternative system provided for in the event that a soakaway is not appropriate. This can be arranged by **condition**.

Item 4

The applicant is requested to:

- (a) Submit a drawing showing the watermain layout of proposed development up to the point of connection to the public watermain.
- (b) Submit a drawing showing the foul drain layout of proposed development up to the point of connection to the public foul sewer.
- (c) In order to assess the feasibility of a connection to public water/waste water infrastructure, the applicant is requested to 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. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Response

The applicant has provided a foul drain layout drawing but has not provided a proposed watermain layout drawing, or a confirmation of feasibility. Irish Water has sought clarification of additional information.

The child care facility has a watermain connection and there is a watermain at the site's edge. As a condition of permission, a connection agreement should be agreed with Irish Water and this

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should include agreement on the watermain layout on the site. This can be a **condition of permission**.

Other Considerations

Bonds & Contributions

Change of use of part of existing childcare facility to 4-bed house (No. 147): 160sq.m

New 4-bed house (No. 147A): 160sq.m

Demolition of part of existing childcare facility: -144.5sq.m

SEA Monitoring

Development Type: Residential

Floor Area (sq.m): 15.5sq.m net increase in floor area

Site Type: brownfield / urban consolidation

Site Area (Ha.): 0.074 Ha.

Conclusion

The proposed development is considered to comply with the South Dublin County Development Plan 2016 – 2022 policy on infill development on corner/side garden sites, and would – subject to the conditions attached herewith – accord 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

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plans, particulars and specifications lodged with the application, as amended by Further Information received on 7th December 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. Amendments.

Bedrooms 3 and 4 of No. 147A (those bedrooms at first floor level to the east of the house) shall have windows in the eastern facade looking onto Ballymount Road. The windows shall be proportionate to the windows on the front elevation.

Prior to the commencement of development the applicant, owner or developer shall submit revised elevation drawings showing the eastern elevation of No. 147A, incorporating the above changes.

REASON: To uphold council policy on blank facades and to improve the streetscape on the adjoining road.

3. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

4. 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.

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

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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.

(e) If percolation test results show that a soakaway would be an inappropriate solution at this site, the applicant shall agree an alternative solution with the SDCC Environmental Services Department prior to construction.

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.

5. Occupation subject to service connection.

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.

6. Restriction on Use and Occupancy.

Each proposed residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, (including short-term letting).

REASON: To prevent unauthorised development.

7. House Number.

The units shall be numbered 147 and 147a. These numbers shall be placed on the completed houses prior to occupation in a manner so as to be clearly legible from the public road.

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

8. External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the existing house or its context.

REASON: In the interest of visual amenity.

9. Dish Kerb and Footpath.

The kerb and footpath of the public road at the vehicle entrance(s) shall be,

(a) dished and a widened dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense, and

(b) all works shall be completed fully in accordance with the terms of a Road Opening Licence to be obtained by the applicant, developer, or owner from the Council prior to commencement of any works in the public domain.

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REASON: In the interest of public safety and the proper planning and sustainable development of the area, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10.

10. Gates.

No gate to be installed or erected shall be capable of opening across any public footpath, cycle-track, roadway or right of way, and any front entrance pillars shall be a maximum height of 1.2m .

REASON: In the interests of visual amenity and pedestrian safety.

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 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. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable

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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.

13. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €33,436.80 (thirty three thousand four hundred and thirty six euros and eighty cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The 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.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder.

Comhairle Chontae Atha Cliath Theas

PR/0042/22

Record of Executive Business and Chief Executive's Order

Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

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


Comhairle Chontae Atha Cliath Theas

PR/0042/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0106

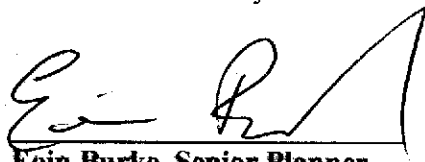
LOCATION: 147, Monalea Grove, Dublin 24



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: 12/1/22



Eoin Burke, Senior Planner