

# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD21B/0570      **Application Date:** 11-Nov-2021  
**Submission Type:** New Application      **Registration Date:** 11-Nov-2021  
**Correspondence Name and Address:** Eric Stilwell, The Design Lab 78, Fairfield,  
Dunshauglin, Co. Meath  
**Proposed Development:** Removal of existing garage and kitchen to side of  
dwelling; construction of a two-storey extension to  
front and side of existing dwelling extending existing  
hipped roof to maintain existing ridge height; new  
bay window to front under new lean-to roof with  
minor alterations to fenestration at first-floor level;  
single-storey extension to rear with rooflights;  
dormer window to rear roof slope to facilitate attic  
conversion with additional rooflight to front;  
widening of existing vehicular entrance to 3.5m; all  
associated site works.  
**Location:** 42, Ballytore Road, Rathfarnham, Dublin 14, D14  
FF22  
**Applicant Name:** Paul Manley & Sarah Jane Varden  
**Application Type:** Permission

(CM)

### **Description of Site and Surroundings:**

#### Site Area

0.0202 Ha.

#### Site Description

The site accommodates a semi-detached house with hipped roof in an area characterised mostly by similar dwellings, although there are some detached houses in the area with a variety of roof types and orientations. There is one example of a side dormer in the area, but otherwise roofscapes in the area are mostly original.

Site visit: 22/12/2021

### **Proposal:**

- Removal of existing garage and kitchen to side of dwelling;
- construction of a two-storey extension to front and side of existing dwelling extending existing hipped roof to maintain existing ridge height;

# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

- new bay window to front under new lean-to roof with minor alterations to fenestration at first-floor level;
- single-storey extension to rear with rooflights; dormer window to rear roof slope to facilitate attic conversion with additional rooflight to front;
- widening of existing vehicular entrance to 3.5m;
- all associated site works.

### **Zoning:**

'RES' – 'To protect and/or improve residential amenity.'

### **Consultations**

Water Services	Requests Additional Information.
Roads	No objection, subject to conditions.
Public Realm	Recommends Conditions.

### **SEA Screening**

No overlap with the relevant environmental layers.

### **Submissions/Observations /Representations**

A observation has been lodged on behalf of the neighbours at No. 40 Ballytore Road. The observation includes the following comments (in summary):

- Application is for major enlargement of the house;
- Neighbour would suffer excessively from the impact;
- Development would contravene 'RES' zoning objective;
- Excessive height and length;
- Excessive scale and proximity to side boundaries;
- Visually incongruous and overbearing;
- Dominant and obtrusive when seen from No. 40;
- Would have significant overshadowing impact on No. 40;
- Would set an undesirable precedent.

It should also be noted that the application includes letters of support from neighbours at Nos. 44 and 67 (opposite), which were included with the plans & particulars, rather than lodged as separate submissions.

### **Relevant Planning History**

SD18B/0072 – Permission **refused** for two storey extension to the side of existing dwelling with roof lights, new bay window to front, single storey extension to the rear with single roof light, new dormer window to attic conversion to rear, widening the existing vehicular entrance to 3.5m and all associated site works (existing dwelling 100.5sq.m; proposed dwelling 219.5sq.m.).

# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

Reasons for refusal:

1. The proposed development by reason of :

(i) Its excessive height, excessive length, scale and proximity to both the eastern and western side boundaries, would be visually incongruous, overbearing, dominant and obtrusive when viewed from the neighbouring properties at No. 40 and 44 Ballytore Road and would have significant overshadowing impacts on the adjoining properties at No. 40 and 44 Ballytore Road.

(ii) The significant extensions and alterations to the front elevation, which would be inconsistent with the character and architectural style of the area and therefore, would appear visually incongruous and have a detrimental impact on the visual amenities of the streetscape.

(iii) The height and proximity of the proposed dormer to the main ridge would be out of keeping with the character of the existing dwelling and surrounding area and would be visually overbearing, dominant and obtrusive when viewed from the neighbouring properties.

Thus, the proposed development would seriously injure the amenity of property in the vicinity, would contravene Policy H18 - Residential Extensions, H18 Objective 1 relating to house extensions, would not accord with the South Dublin House Extension Design Guide referenced in the South Dublin County Council Development Plan 2016 - 2022 and would materially contravene the zoning objective for the area which seeks 'to protect/and or improve residential amenity' and would therefore contravene the South Dublin County Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.

2. The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively be harmful to the residential and visual amenities of the area and be contrary to the proper planning and sustainable development of the area.

### **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 2.4.1 Residential Extensions*

*Policy H18 Residential Extensions*

*It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.*

*Section 9.3.4 Non-Designated Areas*

*Policy HCL 15 Non-Designated Areas*

*Objective 3 – To protect existing trees, hedgerows and woodlands...*

# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

*Section 11.3.3 Additional Accommodation*

*Section 11.3.3 (i) Extensions*

*The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.*

### **National Guidelines & Policy relevant to Development Management in SDCC**

#### **Ministerial Guidelines and Policy**

**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).

# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

**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
- PL08/2020: Vacant Site Levy

Circular NRUP 02/2021 - Residential Densities in Towns and Villages

### **Assessment**

The main issues for assessment concern the following:

- Zoning and Council policy;
- Residential amenity and visual impact;
- Overcoming Reasons for Refusal;
- Water
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

### **Zoning and Council Policy**

The site is located in an area which is subject to zoning objective 'RES' – '*To protect and/or improve Residential Amenity*'. The development of an extension or alteration to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.3 which relates to extensions to dwellings.

### **Residential Amenity and Visual Impact**

#### **Side/Front Extension**

The proposal comprises extension to the front, side, rear and conversion of the attic. A 2-storey side extension is over and in front of the original garage, retaining a false garage door façade treatment but incorporating the garage space as habitable accommodation within the house (for a wc and utility room). At first floor level, this would contain a bedroom, bathroom and en-suite. The entire side element would project beyond the front building line by 1.2 metres and would be treated with a front-facing gable under a pitched roof, subordinate to the main roof of the dwelling. The hipped roof of the main dwelling would be extended over the extension.

The general proposal to extend over the garage and incorporate it into the house is acceptable, and there are countless examples among the semi-detached houses of the county of this sort of extension being successfully incorporated.

# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

The protruding 2-storey feature does not have precedent in the area, and the distance between the houses on this street allows for some forward protrusion without the risk of overshadowing or blocking daylight. Considering this and its depth of only 1.2 metres, and considering also the size of gardens and set-back from the public street, it is deemed an appropriate and acceptable addition to the house.

### Ground Floor Treatment to the Front

Beside the protruding side/front extension, it is proposed to have a porch and squared bay window to the sitting room, under a lean-to pitched roof over ground level. Again this would be 1.2 metres in depth. The depth is within the guideline figure for front extensions and porches in the South Dublin County Council House Extension Design Guide (2010), and the proposal is therefore acceptable.

### Rear Extension

To the rear it is proposed to provide a single-storey extension on contemporary design. In plan and elevation, the extension is divided into two elements: a deeper element under a mono-pitched roof to the east, and a shallower element under a flat roof to the west. The parapet height of the flat-roofed element is approximately 3.5 metres, while the ridge height of the mono-pitched roof, in the centre of the extension, is 4.4 metres. In plan, the extension is 3.7 metres 'deep' at the property boundary with No. 40 (the attached house to the west), and 4.4 metres deep on the other side, where it is separated from the boundary by a side passage.

Having analysed the rear extension for potential impact on adjoining dwellings, it is found to pass the '45 degrees' test as per the SDCC House Extension Design Guide, showing that the development will not lead to excess loss of sunlight/daylight or cause overshadowing for neighbours.

It is noted also that the proposed rear extension steps back and down to the most sensitive boundary, that with the attached house.

### Dormer and Attic Conversion

The proposed dormer to the rear is sufficiently separated from the property boundary and is of a reasonable scale, and would be set sufficiently below the ridge height of the dwelling and back from the rear eaves. It is acceptable.

The office/studio would be non-habitable and the appropriate note can be added to the permission decision.

### **Overcoming Reasons for Refusal**

The previous application on the site was refused for being excessive, out of character, and due to the proposed dormer being too high on the roof. An observation has been lodged stating that the

# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

new proposal would similarly be out of scale and character, and also that it would lead to overshadowing and would diminish the value of the adjoining property (No. 40).

The revised development proposal presents a typical if ambitious proposal for side/front and rear extensions to a semi-detached house with an attached garage. The rear extension is considered not to have undue impact on neighbours. The protruding element to the front does not have precedent in the area but is considered acceptable for the reasons stated above.

The reasons for refusal are considered to have been overcome.

### **Public Realm**

The Public Realm Department has recommended the following 2 conditions, relating to the widening of the driveway access:

#### **1. Street Trees**

The applicant has not provided any information as to the potential impacts of the development on the adjacent street tree in the grass margin. The applicant should submit a tree survey report for the tree in the adjoining grass margin. This tree survey should be undertaken by a suitably qualified arborist. The report should provide detailed information on the condition and health of the existing street tree and it should also clearly detail what impacts the development will have on the tree but especially the tree roots. It is the opinion of the Public Realm Section that reduction/removal of the grass margin in order to facilitate the widening of the entrance driveway will negatively impact/impinge on the existing street tree. The tree survey should be in line with BS 5837:2012 Trees in relation to design, demolition and construction.

#### **2. Protection of Street Tree in Grass Margin**

In order to ensure the protection of existing street trees in adjacent grass margin, suitable tree protection fencing should be installed in order to protect the existing tree during construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837: 2012. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection area.

**REASON:** In the interests of visual amenity and of protecting existing trees.

The proposed driveway widening would come very close to the street tree and, if the kerb was dished there, it is highly likely that the roots of the tree would be impacted. The Public Realm Department recommendations reflect the requirements of "Living with Trees: South Dublin County Council Tree Management Policy 2021 – 2026" (The predecessor 2016 – 2020 plan is

# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

referenced in Policy HCL 15 of the County Development Plan). Section 7.2 (p62) of that policy requires that a detailed submission be provided in accordance with BS5837:2021 for any development that would impact a street tree.

Section 6.18 of the same Tree Management Plan states as follows:

“Policy: The Council will not normally support either the removal of a tree or cutting of a tree’s roots for the construction of vehicle crossovers and / or alterations to residential driveway access, unless the tree is of limited life expectancy or is small enough to be relocated elsewhere. Exceptional circumstances will be considered by the Council on a case-by-case basis.”

In further consultation, the Public Realm Department has clarified that the existing street tree would not be covered by the exceptions in the above policy objective.

It is considered at this stage that the vehicular access is ancillary to the overall permission sought by the applicant. The vehicular access would impact the street tree if delivered as proposed. It could alternatively be extended in the other direction, away from the tree. As recommended above, arboricultural investigations would be required as additional information, or protection measures and/or a bond required as a condition of permission. It is considered more appropriate to **omit** the vehicular access from this permission, giving the applicant the appropriate flexibility to pursue the extension of the house and decide on the best course of action regarding the driveway.

### **Access, Transport and Parking**

The Roads Department has stated no objection subject to conditions which relate entirely to the widening of the vehicular access. It is considered appropriate to **omit** this aspect of the permission.

### **Water**

The Environmental Services Department has sought by way of additional information, percolation test results and design details of the soakaway. This can be resolved by **condition** of permission.

### **Screening for Appropriate Assessment**

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 sites, it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.



# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

### **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.

### **Other Considerations**

#### **Bonds & Contributions**

The proposed extension is:	81.6sq.m.
Allowance for residential extensions:	40.0sq.m.
Assessable Area:	41.6sq.m.

Note: Application includes demolition of an original attached garage: 17.7sq.m.

#### **SEA Monitoring**

Development Type: Residential  
Floor Area: 63.9sq.m (net increase)  
Site Type: Brownfield / Urban Consolidation  
Site Area: 0.034 Ha.

#### **Conclusion**

The proposed development would accord with the guidance in the South Dublin County Council House Extension Design Guide, 2010 and would be in keeping with the 'RES' land-use zoning policy. The proposed extension of the vehicular access presents a problem with regard to the potential impact on an existing street tree, and would conflict with policies in the "Living with Trees: South Dublin County Council Tree Management Policy 2021 – 2026".

Subject to the omission of the vehicular access widening, the proposal would accord with the South Dublin County Development Plan 2016 - 2022 and 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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

### **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 in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Amendments.  
The changes to the vehicular access are omitted from the permitted development.  
REASON: Dishing of the kerb would impact the nearby SDCC street tree. As per section 6.18 of 'Living with Trees: South Dublin County Council Tree Management Policy 2021 - 2026', the Council will not normally support either the removal of a tree or cutting of a tree's roots for the construction of vehicle crossovers and / or alterations to residential driveway access. If proposing such measures in a separate application, the applicant should include a detailed submission prepared by a suitably qualified Arboriculturist in accordance with British Standard 5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations' or consider widening the access in the opposite direction.
3. 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

# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

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 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.

4. (a) External Finishes.

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

REASON: In the interest of visual amenity.

(b) Restriction on Use.

The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

REASON: To prevent unauthorised development.

(c) Drainage - Irish Water.

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

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

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

# **Comhairle Chontae Atha Cliath Theas**

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

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

### **(d) Minimise Air Blown Dust.**

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

### **(e) Construction Noise and Hours.**

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of

# Comhairle Chontae Atha Cliath Theas

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

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.

5. **Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €4,346.78 (four thousand three hundred and forty six Euro and seventy eight cent), 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 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:** Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0059/22**

## **Record of Executive Business and Chief Executive's Order**

NOTE: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

**Comhairle Chontae Atha Cliath Theas**

**PR/0059/22**

**Record of Executive Business and Chief Executive's Order**

**REG. REF. SD21B/0570**

**LOCATION: 42, Ballytore Road, Rathfarnham, Dublin 14, D14 FF22**

*jjohnston*  
\_\_\_\_\_  
**Jim Johnston,**  
**Senior Executive Planner**

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

Date: 16/1/22

*Eoin Burke*  
\_\_\_\_\_  
**Eoin Burke, Senior Planner**