

# Comhairle Chontae Atha Cliath Theas

**PR/0075/22**

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

**Reg. Reference:** SD21B/0440      **Application Date:** 09-Aug-2021  
**Submission Type:** Significant      **Registration Date:** 10-Dec-2021  
Additional  
Information

**Correspondence Name and Address:** Patrick Clarke, Ruby Architectural 10, The Square, Kilcock, Co. Kildare

**Proposed Development:** Convert existing side garage from storage space to living space; single storey extension to the rear of dwelling with skylights; change existing hipped roof to an apex roof with gable; new roof to have a skylight to the front elevation and a new dormer window to the rear elevation; convert existing attic space to living space; widen existing entrance to accommodate off-street parking; internal alterations and all associated site development works.

**Location:** 9, Hazelwood Crescent, Dublin 22

**Applicant Name:** Brian McMahon

**Application Type:** Permission

(EW)

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

Site visit: 13/09/2021

Site Area: as stated 0.0225 Hectares.

### **Site Description:**

The site is located within the established residential estate of Hazelwood Crescent. The site contains a semi-detached, 2-storey dwelling, with a hipped roof and garage structure to the side. The estate mostly accommodates semi-detached dwellings with hipped and pitched roofs. The streetscape has a uniform building line.

### **Proposal:**

- Convert existing side garage from storage space to living space and extend with a single storey extension to the rear of dwelling with skylights;
- Change existing hipped roof to an apex roof with gable; new roof to have a skylight to the front elevation.
- A new dormer window to the rear elevation; convert existing attic space to living space;

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- Widen existing entrance to accommodate off-street parking; internal alterations and all associated site development works.

### **Zoning:**

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity'.

### **Consultations:**

Surface Water Drainage: No objections subject to conditions.

Irish Water : No objections subject to conditions.

Roads: No objections subject to conditions.

*SEA Sensitivity Screening* - No overlap indicated.

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

No submissions received.

### **Relevant Planning History**

None recorded for subject site.

### **Adjacent sites:**

SD21B/0015 - 12, Hazelwood Crescent, Clondalkin, Dublin 22. **Grant Permission** for the construction of new attic dormer window to the rear of existing roof; conversion of existing attic to habitable space; change existing hipped roof to mini-hipped/gable style roof and all associated site works.

SD21B/0374 - 40, Hazelwood Crescent, Dublin 22. **Additional Information** for conversion of existing attic space to non-habitable storage/office area with new revised roof profile (from hipped to half hipped gable roof) to side/rear with new dormer window extension to rear roof with 2 'Velux' rooflights to front roof elevation; new window to side gable; internal modifications and associated site works.

### **Directive:**

It is considered that the proposed 'Token' 'Dutch' hip profile would not be in keeping with the character of the surrounding area and would not accord visually in this location. Therefore, the applicant is requested to redesign the roof profile which may include for and incorporate an elongated 'Dutch' half-hipped roof. Please ensure that the 'Dutch' hip is not 'token'. As a result of any changes to the proposed roof profile the applicant should ensure that the proposed rear

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dormer extension is appropriately located on the roof. Revised elevational drawings, floor plans, cross sectional drawings and site layout plan shall be submitted.

SD18B/0184 - 33, Hazelwood Crescent, Clondalkin, Dublin 22. **Grant Permission and Refuse Permission** for (1) Change of existing hip roof profile to half/mini hip roof with conversion of existing attic space to non-habitable room with two 'Velux' roof lights to rear; (2) Alterations to existing single storey rear extension, including increase of floor area to circa 30sq.m and change of roof profile from pitched roof to flat roof and internal modifications; (3) Alterations to existing porch including increase of floor area to circa 2.5sq.m and all associated site works.

### **Reasons**

1. Hazelwood Crescent is a mature residential estate comprising semi-detached dwellings with consistent roof lines and building uniformity throughout the estate. The proposed roof extension would be bulky in appearance, would be visually obtrusive in the streetscape and would be out of character with roof profiles in the area. The proposal would therefore be harmful to the visual and residential amenities of the area and as such, would materially contravene the Development Plan zoning objective for the area which seeks 'to protect and or/improve residential amenity'.
2. The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the visual and residential amenities of the area and would be contrary to the proper planning and sustainable development of the area.

### **Relevant Enforcement History**

None on record.

### **Pre-Planning Consultation**

None on record.

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

#### *Section 2.4.1 Residential Extensions*

#### **Policy H17 – Residential Consolidation:**

It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

H17 Objective 1: To support residential consolidation and sustainable intensification at appropriate locations and to encourage consultation with existing communities and other stakeholders.

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### *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.

### *Policy H18 Objective 2:*

- To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

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

### *Side extensions:*

- Match or complement the style, materials, and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.
- Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.
- Do not incorporate blank gable walls where extensions face onto public footpaths and roads.
- Avoid the use of prominent parapet walls to the top of side extensions.

### *Rear Extensions:*

- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*

### *Overlooking and loss of privacy:*

- Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.

### **Relevant Government Guidelines**

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

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

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

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council policy,
- Residential and visual amenity,
- Service water and drainage.

### ***Zoning and Council Policy***

The development comprising of a side and rear with dormer extension is consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan 2016-2022 and the House Extension Design Guide.

### ***Residential & Visual Amenity***

#### **Side Garage and Rear Extension**

The drawings clearly indicate that the garage, to be converted, will provide for a kitchen. The converted garage will link to a new rear extension providing for a bedroom, bathroom, and sitting area. The single storey rear extension with an overall height of 2.835m will extend beyond the rear façade by 8.4m. The Planning Authority considers this excessive. However, it is noted that the levels of the adjoining site to the east may contribute to mitigating the impact the proposed extension may have on adjoining properties. This cannot be fully assessed due to the lack of details on site levels and finished floor levels submitted with this application.

Furthermore, this converted garage and extension will be provided with its own independent access and appears to be self-sufficient with the potential to exist as single bedroom dwelling. The Planning Authority notes that a family flat has not been applied for and does not form part of the development description. This should be clarified and assessed under Council Policy on family flats:

### **Policy on Family Flats**

Policy H19 of the County Development Plan supports the provision of family flats where the Planning Authority is satisfied that there is a valid need for semi-independent accommodation for an immediate family member (such as an older parent or other dependent), subject to the design criteria in section 11.3.3 (ii) of the County Development Plan. Section 11.3.3 (ii) of the County Development Plan outlines four criteria to consider in the assessment of applications for family flats. The criteria is:

- (1) *The applicant shall be required to demonstrate that there is a genuine need for the family flat.*

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- (2) *The overall area of a family flat should not exceed 50% of the floor area of the main dwelling house.*
- (3) *The family flat should be directly accessible from the main dwelling via an internal access door; and*
- (4) *The design criteria for dwelling extensions will be applied.*

The applicant should be requested to submit a rationale for the family flat to comply with Council policy. ADDITIONAL INFORMATION.

There is a proposed height increase of 0.9m to the exiting garage that would result in no issues of overshadowing to neighbouring property to the south of the site. The flat roof proposal is consistent with the guidance set out in Section 4 'Side Extensions' of the South Dublin County Council House Extension Design Guide (2010).

No significant overlooking from the single storey proposal is envisaged.

The single storey extension would result in the loss of rear amenity space. However, given the relatively shallow depth of the gardens it is considered acceptable in this instance and the amenity space in excess of 25sqm is considered acceptable.

### Planning Note:

The site layout plan is deficient in that it does not comply with Article 23(1)(a) of the Planning and development Regulations, 2001, as amended which requires '*plans, drawings and maps accompanying a planning application in accordance with article 22 shall all be in metric scale and comply with the following requirements:*

- (a) *site or layout plans shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500 or such other scale as may be agreed with the planning authority prior to the submission of the application, the site boundary shall be clearly delineated in red, and buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates shall be shown'. The applicant should be requested to submit revised plans clearly showing features in proximity to the site, paying particular reference to the north of the site.*
- (c) *the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate*

*The applicant should be requested to submit a revised site layout plan clearly showing the site within context and showing levels of the site and spot levels of adjoining sites.*

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### Change to Roof

Having regard to the proposed modification of the existing roof structure, it is noted that a refusal of permission to a similar proposal at the northern end of Hazelwood Crescent, and it is deemed the hipped roof uniformity of dwellings at this location should be retained to an extent. However, the southern end of this road has historic varied pitched and hipped roofs and it is considered in this instance and at this location that the proposed fully pitched roof would not be visually prominent in that it is not facing a green, or facing a main road or it is not an end house. Furthermore, there is a fully pitched dwelling immediately adjacent to the subject proposal, notably to the south No. 8 Hazelwood Crescent, no visual imbalance would result from the proposal.

### Attic Conversion, Rear Dormer Window, Front 'Velux'

The rear dormer window would be set just below the ridgeline and would be three tile courses above the eaves of the dwelling and would be contemporary in style to match the rear extension and therefore complies the South Dublin County Council House Extension Design Guide (2010), a grant of permission is recommended.

The proposed development provides for the conversion of the existing attic into an attic bedroom with new access stairs. The proposed attic level window shall be frosted by **condition**. The front 'Velux' window is considered acceptable to visual and residential amenity of the area. A **note** should be attached stating that in order to use the attic for habitable space it must comply with the Building Regulations. The proposal is consistent with the guidance set out in the 'House Extension Design Guide 2010'.

### **Roads**

The proposal includes the widening of existing entrance to accommodate off-street parking. The Roads report notes that widening of existing entrance to proposed access of 5.4m is too wide and should the permission be granted, the following conditions are suggested:

1. The vehicular access points shall be limited to a width of 3.5 meters.
2. 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.
3. 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.
4. Any gates shall open inwards and not out over the public domain.
5. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

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The above conditions from the Roads Department are considered appropriate and shall be applied in the event of a grant of permission.

### **Services & Drainage**

Regarding surface water drainage and flood risk, the Water Services Report has no objections subject to standard conditions and to Include water butts as part of Sustainable Drainage Systems (SuDS) for the proposed development and have regard to Part H of the Building Regulations.

Irish Water states no objection subject to the attachment of standard **conditions** related to water supply and foul water drainage and a connection agreement. This is considered appropriate.

### ***Screening for Appropriate Assessment***

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

### ***Environmental Impact Assessment***

Having regard to the modest nature of the 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.

### ***Development Contributions***

#### **Development Contributions Assessment Overall Quantum**

Proposed Side/Rear Extension/Garage conversion: 53.86sq.m  
Assessable Area: 13.86sq.m

### **SEA Monitoring Information**

Building Use Type Proposed:  
Floor Area: 42.2sq.m  
Land Type: Urban Consolidation.  
Site Area: 0.0225 Hectares.

### **Conclusion**

Further information required.

### **Recommendation**

Request Further Information.



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### **Further Information**

Further Information was requested on 04/10/21

Further Information was received on 10/12/21

### **Consultations**

*No reports required. Surface Water Drainage: No objections subject to conditions.*

### **Submissions/Observations**

No further submissions/observations received.

The Further Information requested is as follows:

Item 1: Family Flat

(a) The Planning Authority notes that the proposed converted garage and extension will be provided with its own independent access and appears to be self-sufficient with the potential to exist as single bedroom dwelling. The Planning Authority further notes that a family flat has not been applied for within the Statutory Notices and does not form part of the development description. The Planning Authority requests that the applicant clarify the use of the proposed extension and conversion and submit revised notices if a family flat is being sought.

(b) If the proposed development is to be a family flat the applicant is requested to submit a rationale and design statement clearly demonstrating compliance with Policy H19 of the County Development Plan.

Item 2: The site layout plan is deficient in that it does not comply with Article 23(1)(a) and (c) of the Planning and development Regulations, 2001, as amended which requires 'plans, drawings and maps accompanying a planning application in accordance with article 22 shall all be in metric scale and comply with the following requirements:

(a) site or layout plans shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500 or such other scale as may be agreed with the planning authority prior to the submission of the application, the site boundary shall be clearly delineated in red, and buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates shall be shown'. The applicant should be requested to submit revised plans clearly showing features in proximity to the site, paying particular reference to the north of the site.

(b) the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate.

The applicant is requested to submit a revised site layout plan clearly showing the site within context and showing levels of the site and spot levels of adjoining sites.

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Item 3: The applicant is requested to submit:

(a) a revised site layout plan clearly demonstrating a vehicular access with a maximum width of 3.5 metres.

(b) a front boundary treatment plan clearly demonstrating a 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

### Assessment

The applicant has submitted a cover letter from *Ruby Architectural* date stamped the 10<sup>th</sup> December 2021, and a revised site notice dated 09<sup>th</sup> December 2021. The applicant has also submitted drawing *PL005* titled *Site layout / boundary wall treatment* and drawing *PL006* titled *Site layout*.

1. (a) The applicant has clarified the use of the proposed extension and conversion and submitted revised notices for a family flat.

(b) The proposed development is confirmed to be a family flat. The applicant has submitted a rationale and design statement demonstrating compliance with Policy H19 of the County Development Plan as per the submitted cover letter from *Ruby Architectural*.

The proposed family flat is subject to the design criteria in section 11.3.3 (ii) of the County Development Plan that outlines four criteria to consider in the assessment of applications for family flats, one of which is that

*'The family flat should be directly accessible from the main dwelling via an internal access door'*

The drawings indicate that the proposed development would be independently accessed by its own front door from the front elevation of the side extension, this is contrary to County Development Plan policy section 11.3.3 and shall be omitted by **condition**. The family flat should be accessed through an internal doorway via the existing hallway to the main house.

2. A site layout plan has been submitted at 1:250, the site boundary is clearly delineated in red, and buildings, roads, boundaries, and percolation areas, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates are also illustrated via a submitted photograph. The applicant has submit revised plans clearly showing features in proximity to the site, including the north of the site.

(b) The applicant has submitted a revised site layout plan clearly showing the site within context but has not shown levels as requested. The Planning Authority has therefore used site inspection notes, aerial mapping, the contiguous elevational drawing and the two spot levels indicated to the front of the subject property and dwelling house No. 8 to assess the impact of the extensive projection to the rear of the property. The 1m difference in levels will help to mitigate

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any negative impact arising from the proposed development on the residential amenity of No. 8 and is therefore relatively acceptable.

3. The applicant has submitted the following:

(a) a revised site layout plan clearly demonstrating a vehicular access with a maximum width of 3.5 metres.

(b) a front boundary treatment plan clearly demonstrating a boundary walls at vehicle access points limited to a maximum height of 0.9m, and boundary pillars limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles and this is now considered acceptable.

The Planning Authority notes that the submitted drawing outlines that the proposal is now consistent to policies and objectives of the current County Development Plan and guidance set out in the South Dublin County Council House Extension Design Guide (2010) therefore a grant of permission is recommended.

### ***Development Contributions***

#### **Development Contributions Assessment Overall Quantum**

<b>Development Contributions</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq m)</b>
Residential (extension)	61.7sq.m
Previous Extension	0sq.m
Assessable Area	21.7sq.m

### **SEA Monitoring Information**

Building Use Type Proposed:

Floor Area: 61.7sq.m

Land Type: Urban Consolidation.

Site Area: 0.0225 Hectares.

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, in this instance, be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s)

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specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 10/12/21, 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.  
Prior to the commencement of development the applicant, owner or developer shall submit the following to the Planning Authority:  
Revised plans that incorporate all of the following amendments-
  - (i) the applicant shall omit the front door proposal from the front elevation of the side extension.
  - (ii) the family flat shall be accessed through an internal doorway via the existing hallway of the main house only.REASON: To comply with the design criteria set out in section 11.3.3 (ii) of the County Development Plan for family flats and to protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3. Restrictions on Family Flat.
  - (a) The use of the family flat shall be restricted to a residential use only, directly associated with the use of the existing house on the site for such purposes and the family flat shall not be subdivided or separated from the main house. In particular, it shall not be sold, leased or let (including short-term letting) independently of the main house.
  - (b) The family flat extension shall revert to use as part of the main house when the development is no longer required for use as a family flat.REASON: To ensure that the family flat does not operate as an independent dwelling unit or for any commercial purpose, in the interest of residential amenity and the proper

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planning and sustainable development of the area.

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.

Attic Window.

(b) The following amendment to the design shall be carried out:

The attic window on the gable elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.

REASON: In the interest of residential amenity.

(c) 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.

(d) Drainage - Irish Water.

(i) The applicant shall sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

(ii) All development shall be carried out in compliance with Irish Water Standards codes and practices.

(iii) Any proposals by the applicant to divert or build over existing water or wastewater services shall be submitted to Irish Water for written approval prior to works commencing.

(iv) Separation distances between the existing Irish Water assets and proposed structures, other services, trees, etc. have to be in accordance with the Irish Water Codes of Practice and Standard Details.

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.

(e) Drainage - Surface Water.

(i) The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section.

(ii) The applicant shall include water butts as part of Sustainable Drainage Systems (SuDS) for the development.

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

(iv) All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal.

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.

(f) 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.

(g) 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

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- 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.

### 5. Roads.

(a) 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.

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

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

### 6. 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.

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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.

7. 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.

8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2,267.43 (two thousand two hundred and sixty seven euros and forty three 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.



# **Comhairle Chontae Atha Cliath Theas**

**PR/0075/22**

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

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

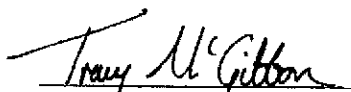
**Comhairle Chontae Atha Cliath Theas**

**PR/0075/22**

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

**REG. REF. SD21B/0440**

**LOCATION: 9, Hazelwood Crescent, Dublin 22**

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

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

**Date:** 17/1/22

  
**Eoin Burke, Senior Planner**