

# Comhairle Chontae Atha Cliath Theas

**PR/0247/22**

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

**Reg. Reference:** SD21A/0356      **Application Date:** 22-Dec-2021  
**Submission Type:** New Application      **Registration Date:** 22-Dec-2021

**Correspondence Name and Address:** Robert Coughlan, Coughlan Consulting Engineering  
25, Kiltipper Avenue, Aylesbury, Tallaght, Dublin  
24.

**Proposed Development:** Construction of Part two storey, part single storey  
four bedroom detached dwelling; 1m high pedestrian  
entrance gate; boundary railing and handrail to the  
front of the site with access through a dual ownership  
driveway and existing vehicular entrance on  
Muckross Green; all associated site, landscaping,  
drainage and ancillary works including off-street  
parking, bin storage and bike storage. Proposed  
dwelling consists of living, utility, wc, dining room  
and bedroom and home office space at ground floor.  
First floor consists of 3 bedrooms, wc, ensuite and  
games room/gym. New works from the previous  
SD20A/0292 application include a 1.5 storey high  
dormer structure to the east with single storey  
structure to its north and extension of single storey  
dining room to the north by 1.5m.

**Location:** 16, Muckross Green, Dublin 12

**Applicant Name:** Tim O'Sullivan & Louise Prendergast

**Application Type:** Permission

(COS)

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

Site Area: stated as 0.05074 Hectares on the application.  
Site Visit: 27<sup>th</sup> of January 2022.

### **Site Description**

The subject site is located on Muckross Green within an existing housing estate in Perrystown. The site is part of the side garden of No. 16 Muckross Green. The surrounding dwellings are two storey and terraced. It is noted that Muckross Green estate is oval in shape, creating a number of triangular corner plots between terraces that are narrow at the front and wide towards the rear.

# Comhairle Chontae Atha Cliath Theas

PR/0247/22

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

### Proposal

Permission is being sought for the construction of the following works:

- Part two storey, part single storey four bedroom detached dwelling;
- 1m high pedestrian entrance gate;
- Boundary railing and handrail to the front of the site with access through a dual ownership driveway and existing vehicular entrance on Muckcross Green; and
- All associated site, landscaping, drainage and ancillary works including off-street parking, bin storage and bike storage.

The proposed dwelling consists of living, utility, wc, dining room and bedroom and home office space at ground floor. First floor consists of 3 bedrooms, wc, ensuite and games room/gym. New works from the previous SD20A/0292 application include a 1.5 storey high dormer structure to the east with single storey structure to its north and extension of single storey dining room to the north by 1.5m.

### Zoning

The subject site is subject to zoning objective 'RES': *'To protect and/or improve residential amenity'* under the South Dublin County Development Plan 2016-2022.

### Consultations

Water Services – no objection subject to conditions.

Irish Water – no objection subject to conditions.

Roads Department – no objection subject to conditions.

Public Realm Section – no objections.

SEA Sensitivity Screening – no overlap is recorded in the SEA monitoring system.

### Submissions/Observations/Representations

None received.

### Relevant Planning History

#### *Subject site*

SD20A/0292 & ABP Ref. PL06S.309376

Part two storey, part single storey three bedroom detached dwelling; 1m high pedestrian entrance gate; boundary railing and handrail to the front of the site with access through a dual ownership driveway and existing vehicular entrance on Muckcross Green; all associated site, landscaping, drainage and ancillary works including off-street parking, bin storage and bike storage to front.

**Permission granted by SDCC. Third party appeal against decision. An Bord Pleanala granted permission.**

# Comhairle Chontae Atha Cliath Theas

PR/0247/22

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

SD20A/0134

New part two storey, part single storey four bedroom detached dwelling including one central rooflight; new vehicular entrance gateway and new 2.1m high boundary wall set back from the front of the site, with access through a dual ownership driveway and existing vehicular entrance on Muckcross Green; all associated site, landscaping, drainage and ancillary works including off-street parking, bin storage and bike storage to front. **Permission refused for the following reasons:**

1. *Due to the height, size, location and proximity to the east boundary, the proposed development would have a significant overbearing impact on the immediate neighbour to the east and would be contrary to the zoning in the South Dublin County Council Development Plan 2016 - 2022, the objective of which is 'to protect and/ or improve residential amenity'. Thus, the proposed development would seriously injure the amenity of property in the vicinity and be contrary to the proper planning and sustainable development of the area.*
2. *The proposed development would endanger public safety by reason of traffic hazard due to the following:*
  - (a) *Inappropriate combined vehicular access with a width of 5.1 meters, which would compromise the safety and comfort of pedestrians.*
  - (b) *Intensification of the use of an access with reduced sightlines, increasing the risk of a traffic accident.*

*The proposal is contrary to the proper planning and sustainable development of the area.*

3. *Having regard to the absence of sufficient detail relating to surface water and foul drainage and water supply, the Planning Authority is not satisfied that the applicant has demonstrated that the proposed development can be achieved in accordance with the requirements of Irish Water and Surface Water Drainage and would therefore be prejudicial to public health.*

### *Adjoining and surrounding sites*

*35, Muckcross Green, Perrystown, Dublin 12*

SD20A/0007

Demolition of the existing garage to side of existing house; construction of an additional detached dwelling house; car parking; relocation of boundary wall; connection to mains services together with all associated site works. **Permission granted.**

SD07A/0441

Demolition of existing garage and the construction of an additional dwelling, relocation of boundary wall, connection to mains services and the associated site works. **Permission granted.**

# Comhairle Chontae Atha Cliath Theas

**PR/0247/22**

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

SD07A/0791

Demolition of the existing garage, the construction of an additional detached dwelling house, car parking, relocation of boundary wall, connection to mains services and associated site works. **Permission granted.**

### **Relevant Enforcement History**

Enforcement Ref. S8531

Widening of driveway without planning permission. **Addressed through previous permission.**

Enforcement Ref. S8087

Removal of back boundary and taking in lane into site and large building project taking place at side and rear of house. **Case closed as exempted development.**

### **Pre-Planning Consultation**

PP032/20

Two semi-detached two storey dwellings; to include associated site works including alterations to the existing dwelling.

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

*2 Housing*

*Section 2.3.0 Quality of Residential Development*

*Section 2.4.0: Residential Consolidation – Infill, Backland, Subdivision & Corner Sites*

*Policy H 17 Residential Consolidation*

*H 17 Objective 2:*

*To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.*

*Policy H17 Objective 3:*

*To favourably consider proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 11 Implementation.*

*7 Infrastructure & Environmental Quality*

*Policy IE 1 Water & Wastewater*

*Policy IE 2 Surface Water & Groundwater*

*Policy IE 3 Flood Risk*

*Policy IE 7 Environmental Quality*

# Comhairle Chontae Atha Cliath Theas

**PR/0247/22**

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

*8 Green Infrastructure*

*Policy G 1 Overarching*

*Policy G 5 Sustainable Urban Drainage Systems*

*9. Heritage, Conservation & Landscapes*

*Policy HCL 2 Natura 2000 sites*

*11 Implementation*

*Section 11.2.7 Building Height*

*Section 11.3.1 Residential*

*Section 11.3.1 (iv) Dwelling Standards*

*Table 11.20: Minimum Space Standards for Houses*

*Section 11.3.1 (v) Privacy*

*Section 11.3.2 Residential Consolidation*

*Section 11.3.2 (i) Infill Sites*

*Section 11.3.2 (ii) Corner/Side Garden Sites*

*Section 11.3.2 (iii) Backland Development*

*Section 11.4.2 Car Parking Standards*

*Table 11.24 Maximum Parking Rates (Residential Development)*

*Section 11.4.4 Car Parking Design and Layout*

*Section 11.6.0 Infrastructure and Environmental Quality*

*Section 11.7.2 Energy Performance in New Buildings*

*Section 11.8.1 Environmental Impact Assessment*

*Section 11.8.2 Appropriate Assessment*

### **Relevant Government Guidelines**

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

*Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).*

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

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

*Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).*

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

# Comhairle Chontae Atha Cliath Theas

**PR/0247/22**

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

*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).*

### **Assessment**

The main issues for assessment relate to:

- Procedural Issue;
- Zoning and Council Policy;
- Previous Relevant Applications;
- Residential and Visual Amenity;
- Landscaping;
- Access and Parking;
- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

### ***Procedural Issue***

The site boundary (red line) does not match between the submitted Site Location Map and Site Plans. As this has not impacted the assessment of the proposal it is considered that this can be addressed via **condition**. A Site Location Map with the correct red line should be submitted via condition to comply with the Planning and Development Regulations 2001, as amended.

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

The proposed development is consistent in principle with zoning objective 'RES': *'To protect and/or improve residential amenity'*. The development of a dwelling within this zoning is Permitted in Principle subject to its accordance with the relevant provisions in the County Development Plan with specific reference to Section 11.3.2 (i) Infill Sites and (iii) Backland Development.

The proposed development is a part two storey, part single storey four bedroom detached dwelling, measuring approx. 202sq.m in size (as stated). The triangular shaped site is bounded by No. 16 Muckross Green to the south-west, the rear gardens of dwellings along Shelton Park to the north-west and No. 17 Muckross Green to the east. The site would have access via a wayleave onto Muckross Green.

The proposed development is considered to constitute Backland Development (Section 11.3.2(iii) of the County Development Plan). The design of this type of development should meet the criteria for infill development in addition to criteria relating to site analysis in regard to

# **Comhairle Chontae Atha Cliath Theas**

**PR/0247/22**

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

scale, siting and layout, avoiding piecemeal development, impact on adjoining properties, and legible access.

The applicant has provided a planning report outlining an analysis of the scale, siting and layout. The other criteria are assessed in the following sections.

### ***Previous Relevant Applications***

There have previously been two applications for similar development of a dwelling on the site. The first application for a dwelling, Reg. Ref. SD20A/0134, was refused permission due to overbearing impact on neighbouring property to the east, potential to endanger public safety by reason of a traffic hazard and insufficient detail on water supply and surface and foul water drainage.

A subsequent application was submitted for a dwelling, Reg. Ref. SD20A/0292, which was granted permission by Council. The revised dwelling was deemed to have overcome the previous reasons for refusal. A third party appeal against the decision was lodged with An Bord Pleanala. Permission was then granted by An Bord Pleanala with similar conditions to the Council's including that the first-floor east elevation window shall be fitted with opaque glazing and be non-openable.

This subject application is for the construction of a dwelling similar to what was permitted under Reg. Ref. SD20A/0292, with the following amendments:

- Addition of a 1.5 storey extension from the east of the permitted dwelling. This would consist of a pitched roof 1.5 storey extension and a single storey rear element that would be incorporated into the permitted single storey rear element. The pitched roof extension would have a rear dormer window.
- Relocation of bin and bicycle store to the western side of the dwelling.
- The dining/kitchen area would be further extended to the rear by approx. 1.1m at the furthest point.

It is noted that the overall dwelling has been applied for in full again. It will therefore be assessed as such, with a particular focus on the amendments from the permitted dwelling under Reg. Ref. SD20A/0292. The previous reasons for refusal are also of consideration.

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

#### ***Standard of Accommodation***

The proposed development would involve the construction of a part two storey, part single storey four bedroom detached dwelling. The dwelling would be approx. 202sq.m in size, which complies with the floorspace requirements of the County Development Plan.

# Comhairle Chontae Atha Cliath Theas

**PR/0247/22**

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

The new extension to the permitted dwelling would provide for an office, wetroom and bedroom at ground floor level and a games room/gym at first floor level. The extension would be incorporated with the permitted dwelling at both levels. The floor plan layouts of the permitted dwelling would otherwise remain the same, apart from a 1.1m (when measure from the furthest point) extension of the dining/kitchen area at ground floor level. All 4 proposed bedrooms would comply with the minimum floorspace standards of the County Development Plan.

The extension would have an external door to the front from the proposed office. The applicant states that this is for if the homeowner has clients that need to attend the office. This is not acceptable as could lead to an unpermitted subdivision of the dwelling. This door should therefore be omitted.

It is not clear if the first floor level of the extension would meet the minimum floor to ceiling height standards of the Building Regulations. A **note** should be added in the event of a grant of permission that if this is to be used as habitable space, it must comply with the Building Regulations.

Private amenity space would be provided, approx. 74sq.m in size, which complies with the County Development Plan. This space would be provided to the rear of the dwelling and to the side (west). Given the nature of the site, the side amenity space can be sufficiently screened from the streetscape and is therefore considered to contribute to private amenity space.

The proposed boundary with the existing dwelling at No. 16 Muckross Green would not change from permitted and a sufficient level of rear amenity space would remain for this dwelling.

### *Existing Residential Amenity*

Section 11.3.2(iii) Backland Development requires that development in close proximity to adjoining properties should be limited to a single storey to reduce overshadowing and overlooking.

The eastern extension to the permitted dwelling would be 1.5 storeys with a pitched roof and gable facing east. The extension would be approx. 0.9m from the eastern boundary and have an eaves height of approx. 3.1m and overall height of approx. 6.5m (permitted dwelling is approx. 7.4m in overall height). The previously refused dwelling (Reg. Ref. SD20A/0134) was approx. 1m from the eastern boundary and was 2 storeys in height (hipped roof) with an eaves height of approx. 5.7m and overall height of approx. 8.6m.

The proposed extension would extend approx. 10.9m (including roof overhangs) along the eastern boundary. The refused dwelling extended approx. 10.7m along this boundary. It is noted



# Comhairle Chontae Atha Cliath Theas

**PR/0247/22**

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

that the bulk and scale of the extension along the eastern boundary would be less than the previously refused dwelling. The extension would be 1.5 storeys with a pitched roof for approx. 8.4m along this boundary and then reduce to single storey with a flat roof to the rear. It is noted that the property to the east is also set in a large garden and is some 11.093m from the boundary.

The proposed development would have no windows directly facing east. This avoids instances of overlooking on the property to the east. The dormer window has been angled westwards. The dormer would be approx. 8.7m to 9.5m from the rear (north-western) boundary. It would be over 22m from any directly facing above ground windows on surrounding dwellings.

Given the scale and design of the development it is considered that there would be no significant negative overshadowing, overlooking or overbearing impacts on adjoining and surrounding properties. The footprint and setbacks of the permitted dwelling from the south-western and north-western boundaries would remain the same as permitted.

### *Visual Amenity*

The dwelling would be well setback behind the adjacent dwellings on Muckcross Green. The proposal comprises of backland development and given the orientation and shape of the site would not be highly visible from the streetscape.

The design of the dwelling would remain the same save for the eastern and rear extensions. These have been designed to incorporate well with the permitted dwelling. The proposed materials of the proposed development would match or complement the existing adjacent dwellings.

### *Landscaping*

The Public Realm Section has reviewed the proposed development and have no objections. While this is noted, having regard to the mature setting of the housing estate and associated mature planting which has supported wildlife, it is considered that the applicant should replant to replace lost mature trees and planting. This will support both existing wildlife and residential amenity by way of softening the impact of the development. The relevant **conditions** under Reg. Ref. SD20A/0292 relating to this should be included in the event of a grant of permission.

### *Access and Parking*

The Roads Department has reviewed the proposed development and has no objection subject to conditions:

*The proposed vehicular entrance and parking layout remains unchanged from the previously granted SD20A/0292*

*The applicant has submitted sightlines and Autotrack analysis as part of the application.*

# Comhairle Chontae Atha Cliath Theas

**PR/0247/22**

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

*The proposal shows a shared road for both the existing and proposed development. There are 2 no. parking spaces proposed for the development. There will be 1 no. car parking space provided for the existing dwelling. Sufficient space has been provided for these spaces. An Autotrack analysis shows that the cars can turn in-curtilage and drive forwards onto the public road.*

*The entrance onto the public domain is 4.0m wide on the angle. This equates to 3.0m measured perpendicular to the line of travel of a vehicle. This is sufficient width to enter and exit the proposed development.*

*No Roads objections subject to the following conditions:*

- 1. The vehicular access points shall be limited to a width of 4 meters.*
- 2. The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
- 3. The pedestrian gate shall be limited to a maximum height of 1m 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.*
- 6. The vehicular entrance and car parking spaces shall serve both the existing (No16) and proposed dwellings. The area to the front of the dwellings shall not be subdivided and shall remain communal for the use of the occupants of both dwellings.*

This report is noted and should be **conditioned** in the event of a grant of permission. The condition relating to vehicles exiting the site in a forward direction is not considered to be enforceable and should not be included.

### ***Services and Drainage***

Water Services and Irish Water have reviewed the proposed development and have no objection subject to standard conditions. These reports are noted and should be **conditioned** in the event of a grant of permission.

### ***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.

# Comhairle Chontae Atha Cliath Theas

**PR/0247/22**

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

### ***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.

### **Development Contributions**

New residential dwelling 202sq.m

### **SEA monitoring**

Building Use Type Proposed: New residential dwelling

Floor Area: 202sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.05074 Hectares.

### **Conclusion**

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022,
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, 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) 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.

# Comhairle Chontae Atha Cliath Theas

PR/0247/22

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

### 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  
Prior to the commencement of development the applicant, owner or developer shall submit, for the written agreement of the Planning Authority:
  - (a) A Site Location Map showing the correct site boundary/red line. Such map shall be consistent with the red line indicated on all submitted drawings.
  - (b) Revised plans that omit the external front door to the office.REASON: To ensure that the dwelling is not inappropriately used as separate units and in the interests of the proper planning and sustainable development of the area.
3. Landscape.  
Prior to the commencement of development, the applicant/developer shall submit:
  1. A fully detailed landscape plan, that incorporates:
    - (a) all existing trees on the site. Where it is proposed to remove existing trees from the site to accommodate the development hereby permitted, proposals for their replacement on the site shall be submitted.
    - (b) full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The Landscape Plan shall include hard and soft landscaping details including levels, sections/elevations and a timescale for its implementation.
  2. A fully detailed Planting Plan for the development. The Planting Plan shall comprise water-absorbing planting that contributes to the absorption of surface water generated on the site.  
REASON: In the interests of supporting biodiversity, climate adaptation, flood prevention, the protection of residential amenity and in the interests of proper planning and sustainable development.
4. 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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0247/22**

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

### **5. Drainage**

(a) 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.

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

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.

### **6. Roads**

(a) The vehicular access points shall be limited to a width of 4 m.

(b) 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.

(c) The pedestrian gate shall be limited to a maximum height of 1m in order to improve forward visibility for vehicles.

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

(e) The vehicular entrance and car parking spaces shall serve both the existing (No. 16) and proposed dwellings. The area to the front of the dwellings shall not be subdivided and shall remain communal for the use of the occupants of both dwellings.

REASON: In the interests of visual amenity, sustainable development and pedestrian and traffic safety.

### **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. 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

# **Comhairle Chontae Atha Cliath Theas**

**PR/0247/22**

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

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.

### **9. Restriction on Use.**

The house shall be 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.

### **10. Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €21,106.98 (twenty one thousand one hundred and six euros and ninety eight 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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0247/22**

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

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

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: 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.


**Comhairle Chontae Atha Cliath Theas**

**PR/0247/22**

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

**REG. REF. SD21A/0356**


**LOCATION: 16, Muckross Green, Dublin 12**

  
\_\_\_\_\_  
**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:**

24/2/22

  
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**Eoin Burke, Senior Planner**