

# Comhairle Chontae Atha Cliath Theas

**PR/0219/22**

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

**Reg. Reference:** SD21B/0325      **Application Date:** 02-Jun-2021  
**Submission Type:** Additional      **Registration Date:** 21-Jan-2022  
Information

**Correspondence Name and Address:** AKM Design Unit 4, Orchard Business Centre, 2009 Orchard Avenue, Citywest Business Campus, Dublin 24

**Proposed Development:** First floor extension to the rear and side over the existing rear/side extension providing 2 new bedrooms and study and bathroom; 3 new rooflights; internal alterations and associated works.

**Location:** 26, Knockmeenagh Road, Clondalkin, Dublin 22

**Applicant Name:** Graham Brown

**Application Type:** Permission

(COS)

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

Site Area: stated as 0.15 Hectares on the application.

Site Visit: 30<sup>th</sup> of June 2021

### **Site Description**

The subject site is located on Knockmeenagh Road to the south of a secondary school. The site is a long rectangular parcel and consists of a single storey semi-detached dwelling with an existing single storey rear extension. There are existing single storey structures to the rear of this dwelling. The streetscape comprises original cottages with an eclectic mix of rear and side extensions attached.

### **Proposal**

Permission is being sought for the construction of a first-floor extension to the rear and side over the existing rear/side extension providing 2 new bedrooms and study and bathroom; 3 new rooflights; internal alterations and associated works.

### **Zoning**

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

### **Consultations**

Water Services – no objection subject to conditions.

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Irish Water – not applicable.

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

### Submissions/Observations /Representations

The third-party submission received from the occupants at 28 Knockmeenagh Road has been reviewed in full. For the purposes of this report the submission is summarised as follows:

- The proposed development, due to its height, bulk and proximity to their house (less than 8m wall-to-wall), will be visually dominant, detrimental effect on the north-facing bedroom and family room in their extension.
- Proposed first floor north-facing windows will seriously injure privacy and residential amenity of garden and sunroom.
- Submitted drawings do not show their rear extension nor the original/existing shared sheds/toilets. Also inaccurately shows location of main sewage line through their site.
- Concern in regard to additional surface water and grey water. Issues with water gathering on the boundary of their garden after periods of heavy rain and the die-back of deep-rooted fruit trees.

This submission has been considered in the overall assessment of the development.

### Relevant Planning History

*Subject site*

SD14B/0109

Single storey extension to side/rear of existing dwelling and alterations including new entrance doors to provide family flat; 2 Velux roof lights to existing rear roof and associated works.

**Permission granted. This extension has been constructed.**

SD13A/0189

Demolition of existing shed and existing games room and construction of a detached dormer bungalow and associated works. **Permission granted. No works appear to have been commenced under this application. The existing shed and games room remain onsite.**

SD10A/0390 & ABP Ref. PL06S.23605

Retention sought for change of use of the permitted single storey detached games room/store 68sq.m. to a dwelling. Permission sought to extend the dwelling to a dormer bungalow with 2 no. dormer windows and 1 no. Velux windows to rear roof and 4 no. Velux windows & 1 no. solar panel to the front roof, single storey front and rear extension & reposition existing single storey shed/workshop 43sq.m. **Permission granted by SDCC and refused by An Bord Pleanala. In summary the reason for refusal was that the proposed development constitutes uncoordinated development of the backland area.**

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SD10A/0207

Change the use of the permitted single storey detached games room structure (68sq.m.) to rear to a dwelling. **Permission for retention refused.**

SD09A/0354

Detached single storey dwelling (68sq.m.) for a temporary time period of 3 years. **Permission for retention refused.**

SD09B/0454 & ABP Ref. PL06S.236111

Cease use of detached single storey structure 68sq.m. as dwelling and retain structure in use as a games room/domestic store. **Permission for retention granted by SDCC and An Bord Pleanala.** Removal of bathroom and side elevation windows were required by way of condition.

SD08A/0825 & ABP Ref. PL06S.232986

Completion and retention of a single storey two bedroom dwelling house to the rear garden of existing house and also with the removal of existing storage shed to widen rear access and all associated site works. The proposed works was largely the same as the previously refused proposal Reg. Ref. SD08A/0418, with the exception of the proposed demolition of the existing single storey shed on site. **Permission for retention refused by SDCC and An Bord Pleanala.**

SD08A/0418

Completion & retention of a single storey two bedroom dwelling house to the rear of existing house and all associated site works. **Permission and permission for retention refused.**

### *Adjacent and surrounding sites*

SD14A/0051 28 Knockmeenagh Road

Removal of existing shed and construction of detached dormer bungalow to the rear garden and associated works. **Permission granted. Extension of duration for this permission has been granted (SD14A/0051/EP).**

SD13B/0092 28 Knockmeenagh Road

Single storey extension to side and rear of the existing dwelling and associated works. **Permission granted.**

SD20B/0304 24 Knockmeenagh Road

Retention of the concrete shed base and permission for the construction of a detached shed building to sit on the already constructed concrete shed base and all necessary ancillary site development works to facilitate this development. **Permission and retention permission granted.**

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### **Relevant Enforcement History**

Enforcement Ref. S7645

Non-compliance with conditions 2 & 3 of SD09B/0454 PL06S.236111. Complies with permission granted.

Enforcement Ref. S7557

Non-compliance with Cond 1 of Reg Ref SD14B/0109 (additional velux window provided).  
Minor breach no enforcement action warranted.

Enforcement Ref. S5614

Erection of timber framed structure at rear and use for human habitation. This structure has been regularised through planning permission.

### **Pre-Planning Consultation**

None recorded for subject site according to APAS.

### **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.*

*Policy H18 Objective 1:*

*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).*

*Section 11.3.1 Residential*

*Section 11.3.1 (iv) Dwelling Standards*

*Section 11.3.1 (v) Privacy*

*Section 11.3.2 Residential Consolidation*

*Section 11.3.3 Additional Accommodation*

*Section 11.3.3 (i) Extensions*

*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 11.7.2 Energy Performance in New Buildings*

*Section 11.8.2 Appropriate Assessment*

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### **South Dublin County Council House Extension Design Guide (2010)**

The House Extension design guide contains the following guidance on house extensions, including for rear extensions:

Elements of Good Extension Design:

- *Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible.*

Rear extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *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*
- *Do not create a higher ridge level than the roof of the main house.*
- *The roofline of large extensions to the rear of single storey bungalows should not be visible from public view to the front or to the side of the bungalow.*

### **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).

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:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;

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- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

### *Zoning and Council Policy*

The proposed development is consistent in principle with zoning objective RES – ‘*To protect and/or improve residential amenity*’. New residential extensions to existing dwellings are permissible in principle under this zoning objective, subject to their being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010.

### *Visual and Residential Amenity*

The proposed extension would consist of a first-floor extension above the footprint of the existing single storey rear extension. The extension would align with the ‘L’ shaped footprint of the existing extension. The two-storey structure would extend approx. 9.8m from the existing dwelling. The separation distances of the structure from the rear and side boundaries would remain the same as the existing extension below. It would be setback approx. 54.2m from the rear boundary. On the eastern boundary the extension would extend approx. 9.8m and would be setback approx. 1.7m. On the western boundary the extension would extend approx. 7.1m at approx. a 1.0m setback from this boundary, before stepping back for approx. 2.7m at approx. 4.2m from the boundary.

The proposed structure would be approx. 5.9m in height (flat roof), compared with the existing dwelling's overall height of approx. 5.3m (pitch roof). The extension would have a flat roof, which contrasts with the existing dwelling's hipped/pitched roof. Although the existing rear extension has a flat roof, the addition of a second floor increases the visual impact of this. The SDCC House Extensions Design Guide states that prominent flat roofed extensions are normally not acceptable unless there is a good design or an architectural reason for doing so. The rationale for providing a flat roof in this case has not been provided by the applicant and the Planning Authority has concerns that the bulk and mass of the first-floor extension, relatively close to an existing dwelling may give rise to negative impact on the visual and residential amenity of this property. In this regard, the applicant is requested to reconsider the proposed design and submit revised drawings that relocates the extension away from shared boundaries and/or mitigates the negative impact on the adjoining/adjacent property (see also below). **ADDITIONAL INFORMATION.**

The proposed materials would be selected pressed and timber cladding, which differs to the existing dwelling. While the materials differ, they visually differentiate the extension from the existing single storey original cottage, which is welcomed. Internal alterations involve the removal of a bedroom at ground level and 2 new bedrooms at first floor level. The new bedrooms would meet the minimum floorspace requirements of the CDP. The remaining rear amenity space would meet the minimum required amenity space for a 4-bedroom dwelling.

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In terms of residential amenity, the extension would sit at a higher height than the existing dwelling and would be visible from the front and side elevations. Due to the close proximity of the extension to the side boundaries with adjoining residential properties and proposed height of the structure the Planning Authority has concerns in regard to the visual impact and scale of the proposal. While an extension at first floor at this site is acceptable in principle, the Planning Authority considers that the proposal should be revised to reduce the potential negative impact this structure could have on neighbouring properties. It is considered that the proposed extension could be further setback at first floor level on the eastern and western elevations. The height of the extension should also be reduced by approx. 0.5m (if this still provides for a habitable space inside). **The applicant should be requested to submit via Additional Information a Design Statement and revised design addressing the Planning Authority's concerns in regard to visual impact (including the use of a flat roof). The applicant should also assess the potential overshadowing impact on the neighbouring properties and whether any mitigation measures are necessary. Revised drawings should be submitted with the addition of proposed sections and rear contiguous elevations.**

The submission from No. 28 Knockmeenagh Road has stated that the submitted drawings do not show their existing rear extension nor the shared sheds/toilets. It is noted that the submitted site layouts do not appear to show the existing rear extension at this neighbouring property. There also appears to be a single storey structure between the two properties on the adjoining boundary (as viewed from aerial mapping), which is not shown on the drawings. **The revised drawings submitted via Additional Information should show the existing rear extension at No. 28 Knockmeenagh Road and detail the structure on the shared boundary. The applicant should clarify if any works are proposed to this structure on the shared boundary.**

There would be a proposed new window at ground floor on the west elevation setback by approx. 4.2m, which is acceptable. On the eastern elevation an opaque window is proposed at first floor level, which provides light to the proposed bathroom at this level. Due to the location of this window in relation to the adjoining property there are concerns with regards to overlooking. **The applicant should be requested to omit this window via Additional Information.** A rooflight in place of this might be a more appropriate approach to provide daylight into this room.

In summary, the proposed extension is generally acceptable in principle, however, **Additional Information**, is required to ensure it would comply with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and would have an acceptable impact in terms of residential and visual amenity.

**Planning Note:** The Planning Authority recognises that the family-flat granted permission on the foot of reg. ref. SD14B/0109 will be removed and the floor area will be incorporated into the floor area of a single dwelling on the site.

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### *Services and Drainage*

The Planning Authority notes the contents of the submission. However, in relation to surface water, Water Services has no objection and recommends conditions including '1.1 Include water butts as part of SuDS (Sustainable drainage systems) measures for the proposed development with an overflow to the surface water drainage network.'. There is no objection in relation to flood risk. The report from Water Services is noted and should be conditioned as such.

### *Screening for Environmental Impact Assessment*

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### *Screening for Appropriate Assessment*

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

### Development Contributions

Pre-existing extension of 36sq.m

New extension of 64sq.m

40sq.m. exemption less 36sq.m used up on previous extension leaves 4sq.m remaining of exemption

64sq.m less 4sq.m remaining of exemption leaves an assessable area of 60sq.m

Assessable area = 60sq.m

### SEA monitoring

Building Use Type Proposed: Residential

Floor Area: 64sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.15 Hectares.

### Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that **Additional Information** is required to ensure the proposed development would be in compliance with Council policy in relation to extensions to dwelling houses, would



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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

Request Further Information.

### Further Information

Further Information was requested on the 26<sup>th</sup> of July 2021.

Further Information was received on the 21<sup>st</sup> of January 2022 (not deemed significant).

### Assessment

#### *Item 1 Requested*

*Due to the close proximity of the extension to the side boundaries with adjoining residential properties and proposed height of the structure the Planning Authority has concerns in regard to the visual impact and scale of the proposal. While an extension at first floor at this site is generally acceptable in principle, the Planning Authority considers that the proposal should be revised to reduce the potential negative impact this structure could have on neighbouring properties. The applicant is requested to submit revised drawings demonstrating the following:*

*(i) The proposed extension setback at first floor level from both the eastern and western elevations.*

*(ii) The height of the extension should also be reduced by approx. 0.5 m (the applicant to determine habitable floor to ceiling heights at both ground and first floor). Cross Sectional drawings to be submitted.*

*(iii) Reduction of overshadowing of neighbouring properties.*

*The applicant's response to this item should include a Design Statement clearly addressing the Planning Authority's concerns in regard to visual impact (including the use of a flat roof).*

Assessment:

(i) The applicant states that the proposed extension is already sufficiently setback from the western and eastern boundaries in line with comparable neighbouring dwellings. They state that the site is similar to adjoining properties. They note that a number of new dwellings were permitted to be located c.1 m off shared boundaries (e.g. SD13A/0008) and various types of two storey extensions have been permitted on similar properties (e.g. SD19B/0276). They do not propose to alter the design in line with the request.

In this instance, the proposed extension would be approx. 1.7 m and 1.0m from the eastern and western boundaries respectively. Given the scale of the development and proximity to the neighbouring dwellings Nos. 24 and 28 Knockmeenagh Road, the Planning Authority still has concerns regarding impact on residential and visual amenity. As the extension is acceptable in principle, it is recommended the proposed development is granted subject to a **condition** that

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requires a setback at first floor level from the eastern and western elevations. This would help reduce the visual impact of the proposal when viewed from the adjoining properties.

(ii) The applicant states that the extension is set back behind the original cottage to reduce visual impact. They state that the height of the extension cannot be reduced without making the proposed first floor inhabitable. A cross section of the proposed development has been submitted showing that the first floor would have a floor to ceiling height of approx. 2.4 m.

It is noted that a reduction in height would impact the habitability of the development. Given the setback of the proposed first floor extension from the front boundary (approx. 29 m) and ridgeline of the original dwelling (approx. 4 m), the scale of the proposal when viewed from the streetscape is acceptable. Subject to first floor setbacks from side elevations, the height would be acceptable in relation to adjoining properties.

(iii) The applicant states that the proposed extension does not cause excessive overshadowing of adjoining properties. They have set out a Design Statement and addresses compliance with the County Development Plan and House Extension Design Guide in their response. A number of existing extensions along Knockmeenagh Road are referred to.

The Planning Authority notes the sufficient setback of the proposed development from the front. While the front elevation is acceptable, a further revision of the eastern and western elevations is required. The proposed materials and finishes are of a more contemporary design. This would distinguish the proposed extension from the original dwelling. The design and materials are considered to be in compliance with the House Extension Design Guide.

The applicant has provided a rationale for the flat roof, which refers to its scale, rhythm and proportion. In accordance with the House Extension Design Guide prominent flat roof extensions are not normally acceptable. However, in this instance the extension is setback 29 m from the front boundary, thereby reducing its visual prominence. The use of the flat roof is therefore in compliance with the House Extension Design Guide.

Overall, it is considered that this item has been fully addressed subject to a condition for a first floor setback from the eastern and western elevations. This would help alleviate the impact of the proposed development on the visual and residential amenity of the neighbouring dwellings.

### ***Item 2 Requested***

*An opaque window is proposed at first floor level in the eastern elevation to provide light to the proposed bathroom. Due to the location of this window in relation to the adjoining property there are concerns with regards to overlooking or perceived overlooking. The applicant is requested to submit revised drawings showing the omission of this window. The applicant should consider introducing a rooflight to provide daylight into the bathroom.*

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Assessment:

The applicant states that there is no possibility for overlooking from an opaque window serving a non-habitable room (bathroom). The Planning Authority accepts that in this instance the use of opaque glass would mitigate overlooking into the neighbouring property. Due to its location and design it is not considered that the proposed development would result in significant overlooking onto neighbouring properties. It is therefore considered that this item has been fully addressed.

### ***Item 3 Requested***

*The submission from No. 28 Knockmeenagh Road has stated that the submitted drawings do not show their existing rear extension nor the shared sheds/toilets. It is noted that the submitted site layouts do not appear to show the existing rear extension at this neighbouring property. There also appears to be a single storey structure between the two properties on the adjoining boundary, which is not shown on the drawings. The applicant is requested to submit revised drawings showing the existing rear extension at No. 28 Knockmeenagh Road and the structure on the eastern boundary between the two dwellings. The applicant should clarify if any works are proposed to this structure on the boundary. Accurate rear contiguous elevations and accurate site layout plan showing all development in the vicinity of the proposed extension to be submitted.*

Assessment:

Revised existing and proposed site plans have been submitted showing the existing sheds and neighbouring extension. Also submitted is a revised rear (north) elevation showing the location of the existing sheds. The applicant clarifies that there are no proposals to make any changes to the existing rear garden sheds. It is therefore considered that this item has been fully addressed.

Summary:

It is considered that the further information request items have been addressed. Permission should be granted subject to conditions.

### **Development Contributions**

Pre-existing extension of 36sq.m

New extension of 56sq.m (revised via condition)

40sq.m. exemption

Assessable area = 16sq.m

### **SEA monitoring**

Building Use Type Proposed: Residential

Floor Area: 56sq.m (revised via condition)

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.15 Hectares.

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### **Conclusion**

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and South Dublin County Council House Extension Design Guide (2010),
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy in relation to extensions to dwelling houses, 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.

### **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 the 21st of January 2022, 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 revised plans that incorporate a 0.5 m setback at first floor from the eastern and western elevations of the extension.

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REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

3. (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.

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

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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 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.

#### **4. Surface Water Drainage**

Include water butts as part of SuDS (Sustainable drainage systems) measures for the proposed development with an overflow to the surface water drainage network.

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

#### **5. Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €1,671.84 (one thousand six hundred and seventy one euros and eighty four 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

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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: 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.

**Comhairle Chontae Atha Cliath Theas**

**PR/0219/22**

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

**REG. REF. SD21B/0325**

**LOCATION: 26, Knockmeenagh Road, Clondalkin, Dublin 22**

*Colm Harte*  
**Colm Harte,  
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:**

17/2/22

*Eoin Burke*  
**Eoin Burke, Senior Planner**