

Comhairle Chontae Atha Cliath Theas

PR/0321/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0514 **Application Date:** 06-Oct-2021
Submission Type: Additional **Registration Date:** 10-Feb-2022
Information

Correspondence Name and Address: H2b Architects 20, Moyview, Kildalkey, Navan, Co. Meath

Proposed Development: Retention of single storey extension to front, side and rear of existing house, extension with new utility, bedroom and games/storage room; all associated site works.

Location: 35, Foxborough Road, Lucan, Co. Dublin

Applicant Name: John Tran

Application Type: Retention

(EW)

Description of Site and Surroundings:

Site Area: as stated 0.0301 Hectares.

Site visit: 05/11/2021

Site Description:

The subject corner site is located at No. 35 Foxborough Road, Lucan, Co. Dublin and contains an existing two storey, end of terrace dwelling with front and rear garden. The streetscape is characterised by semi-detached two storey dwellings with front and rear gardens. An existing green open space is located directly to the south of the subject site.

Proposal:

- Retention of:
 - single storey extension to front, side and rear of existing house,
 - extension with new utility, bedroom and games/storage room; all associated site works.

Zoning:

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

Consultations:

Surface Water Drainage: Further Information requested.

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Irish Water: No objection, subject to standard conditions.
Roads: Further Information requested.
SEA Sensitivity Screening: No overlap indicated.

Submissions/Observations /Representations

None received.

Relevant Planning History

None for subject site.

Adjacent sites:

SD15B/0001 - 60, Foxborough Road, Lucan, Co. Dublin. **Granted Permission** for two single storey extension including a garage to side.

Relevant Enforcement History

S8704 - structure to rear which may exceed 25sq m.

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.

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).

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Section 2.4.0: Residential Consolidation – Infill, Backland, Subdivision & Corner Sites
Policy H17 Residential Consolidation

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.

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

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.

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

Side extensions:

- If the house is detached or on a large site or in a prominent location such as the corner of a street, it may be appropriate to consider making a strong architectural statement with the extension.
- Where the extension is to the side of a house on a corner plot, it should be designed to take into account that it will be visible from the front and side. The use of blank elevations will be unacceptable and a privacy strip behind a low wall, hedge or railings should be provided along those sections of the extension that are close to the public pavement or road.
- 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.

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- 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.

Relevant Government Guidelines

Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2008).

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,
- Development Description and Clarification of Development Proposed,
- Residential and visual amenity,
- Impact within an area of archaeological potential,
- Service water and drainage.

Zoning and Council Policy

The development for retention is comprising a front, side and rear extension (to include a family flat) 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.

Development Description and Clarification of Development Proposed

It is noted that the applicant has not stated within their development description that the development comprises a 'Family flat'. On investigation of the drawings submitted with the application it appears that a one-bedroom family flat is being proposed. This element of the application requires clarification and if the development is deemed to be a family flat, the applicant is required to demonstrate compliance with County Development Plan policy H19 Objective 1 and design criteria outlined in Chapter 11 Implementation and submit new statutory notices. The following assessment will assess a family flat proposal and not an extension to an existing dwelling house. Policy H19 is most relevant. The assessment will also take into consideration the development of a corner site that has two frontages onto two streets.

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

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County Development Plan outlines four criteria to consider in the assessment of applications for family flats. The criteria are addressed below, along with an assessment of the proposed development.

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

The applicant has not submitted a cover letter that the proposed extension is designed as ancillary family accommodation for an elderly family member. The applicant shall be requested by **Additional Information** to demonstrate a genuine need for the family flat.

(1) The overall area of a family flat should not exceed 50% of the floor area of the main dwelling house.

The gross floor area of the existing dwelling is stated to be 137.8sq.m. 50% of the existing floor area is 68.9sq.m. The floor area of the extension/family flat is stated to be approximately 43.8sq.m, which is below 50% of the existing floor area of the dwelling. The extension/family flat would represent less than of 50% of the existing dwelling house and within the County Development Policy and therefore acceptable.

(2) The family flat should be directly accessible from the main dwelling via an internal access door; and

The development for retention would be independently and directly accessed by its own door. This door is located to the side and rear of the existing property. The extension/family flat is accessible from the existing dwelling via a door in a store room linked to the dining area. Own door access is not considered to be generally acceptable. However, in this instance the doorway is located to the side-rear of the existing dwelling and it operates as an access to the rear amenity for the entire site.

(3) The design criteria for dwelling extensions will be applied.

The design is considered in detail in the Residential and Visual Amenity Section of this report.

Residential & Visual Amenity

The development for retention is stepped back, is single storey on the gable side and projects at its furthest point to 6.8m southwards, 10.1m in width at its longest point. It will have a flat roof with a maximum height of 2.7m.

The structure is built parallel to the southern boundary wall and is visible from the existing footpath and adjacent open green area to the immediate south. A separation distance of at least

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1m separates the structure from the southern boundary wall and could act as a privacy strip. It is noted that a wc and bedroom window is present in this south facing elevation. It is also noted from a site visit that a large wooden 'enclosed yard' fence surrounds the entire west facing and southern facing side of the site, which may be greater than 2 metres high. In the interests of protecting visual amenity, the south-western boundary wall should be reduced to a maximum height of 2m and if possible reduced to a 1.2m high wall with 0.8m high railing, in the interests of achieving passive surveillance (as set out in the County Development Plan – Chapter 11).
ADDITIONAL INFORMATION.

It is noted that the structure is recessed back 6.4m from adjacent property to the north and therefore it is unlikely to have a negative impact on existing residential amenity by way of overlooking, overshadowing or overbearing impact.

The rear amenity space is considered to be acceptable at 67sq.m. The flat roof structure is considered to be out of keeping with the existing residential dwellings however, in this instant having regard to how it is recessed back 10m from the front building line, it is considered that the impact of the retained proposal would not be as visual prominent on this large corner site having regard to its stepped back subservient nature to the existing house and the screening from the mature trees that exist on the adjacent green area to the south.

Front Extension

The front porch for retention projects southerly by 1m and is considered to be acceptable. The design accords with the South Dublin County Council House Extension Guide (2010)

Roads

The Roads Department has requested Additional information and state the following:

1. There are concerns in relation to the width of the vehicular access due to the potential visual impact and impact on traffic/pedestrian safety. The applicant is therefore requested to submit revised drawings showing plan and elevation of retained vehicular access, boundary wall and dished footpath and kerb.

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. 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. 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

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expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.

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.

The Roads Department report is noted with regards to limiting changes to vehicular entrance. Having regard to the location of the site, in proximity to a roundabout where pedestrian/cycling safety is of concern, ADDITIONAL INFORMATION should be sought in this instance.

Services & Drainage

Water Services states requests Additional Information on the following:

- 1.1** The applicant has not submitted surface water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdublincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.
- 1.2** The applicant is required to include Water Butts as part of additional Sustainable Drainage Systems (SuDS) features for the proposed development.

The above is noted by the Waster Services Department and will be requested by **Additional Information**.

Flood Risk Report states no objections, subject to applying conditions relating to the separation of foul and surface water drainage.

Irish Water Report states no objections, subject to applying conditions relating to connections, standard codes and practices and separation distances.

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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

Extension for Retention:	43.8sq.m
Assessable Area:	43.8sq.m

SEA Monitoring Information

Building Use Type Proposed:	Residential- Extension
Floor Area:	43.8sq.m
Land Type:	Brownfield/Urban Consolidation.
Site Area:	0.0301 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the development for retention in its current proposal would require further details for the Planning Authority to assess in full. Additional information should be sought.

Recommendation

Request Further Information.

Further Information

Further Information was requested on 30/11/2021
Further Information was received on 10/02/2022

Consultations:

Surface Water Drainage:	No objection, subject to standard conditions
Irish Water:	No objection, subject to standard conditions.
Roads:	No objection, subject to standard conditions.

Submissions/Observations

None received for this application.

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The Further Information requested is as follows:

1. The Planning Authority has concerns in relation to the integration of the proposed development as it appears that a one-bedroom family flat is being proposed and not an ancillary extension. The applicant is therefore requested to clarify:
 - (1) The use of the structure. A family flat should be demonstrated to be compliance with County Development Plan policy H19 Objective 1 and design criteria outlined in Chapter 11 Implementation.
 - (2) The description of the proposed development. If a family flat is being proposed revised public notices should be submitted as the proposed development would be considered to be significant. Revised notices that clearly outline the proposed development as a family flat in accordance with Article 35 of the Planning and Development Regulations 2001 (as amended) should be submitted.

2. The applicant is requested to submit revised boundary treatment proposals (site layout plan and elevational drawings), which clearly shows:
 - (1) a 2 metre (maximum height) high southern and south-western boundary wall. The applicant may wish to consider a proposal for a low railing along the southwestern boundary of the site to provide passive surveillance (a 1.2m high wall and 0.8m railing) as an alternative proposal.
 - (2) the wooden 'enclosed yard' fence that surrounds the entire west facing and southern facing side of the site reduced to a maximum height of 2 metres.

3. The applicant has not submitted surface water drainage plans for the proposed development for retention.

The applicant is requested to:

 - (i) submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdblincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.
 - (ii) include Water Butts as part of additional Sustainable Drainage Systems (SuDS) features for the proposed development for retention.

4. (1) The Planning Authority has concerns in relation to the width of the vehicular access due to the potential visual impact and impact on traffic/pedestrian safety. The applicant is therefore requested to submit revised drawings showing plan and elevation of vehicular access, boundary wall and dished footpath and kerb. The applicant should note that a

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maximum width of 3.5m will be required.

(2) The Planning Authority cannot trace planning history for the widening of the vehicular access. The applicant is requested to submit all relevant planning permissions granted at this site for the widening of the vehicular entrance. If none can be found, the applicant is requested to submit revised statutory notices seeking permission for the vehicular, entrance (taking Item 1 into consideration).

Item 1

The Planning Authority has concerns in relation to the integration of the proposed development as it appears that a one-bedroom family flat is being proposed and not an ancillary extension. The applicant is therefore requested to clarify:

(1) The use of the structure. A family flat should be demonstrated to be compliance with County Development Plan policy H19 Objective 1 and design criteria outlined in Chapter 11 Implementation.

(2) The description of the proposed development. If a family flat is being proposed revised public notices should be submitted as the proposed development would be considered to be significant. Revised notices that clearly outline the proposed development as a family flat in accordance with Article 35 of the Planning and Development Regulations 2001 (as amended) should be submitted.

Assessment

The applicant has submitted a cover letter from *H2B Architects* dated the 28th January 2022.

1. (a) The applicant has clarified the use of the extension for retention and confirmed that the proposal is not for a family flat and states the following:

'The proposal for retention is for ancillary extension to the rear of house, as from the plans there is a full connection between the family home and extension'.

(b) The subject development is confirmed not to be a family flat. The applicant has submitted an explanation and revised public notices should not be submitted as the subject development would not be considered to be significant.

However, the submitted drawings indicate that the subject 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 and shall be omitted by **condition**. The extension is accessed through an internal doorway and has one rear back garden door to the main extension, and this is deemed sufficient.

This is now considered acceptable.

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Item 2

The applicant is requested to submit revised boundary treatment proposals (site layout plan and elevational drawings), which clearly shows:

- (1) a 2 metre (maximum height) high southern and south-western boundary wall. The applicant may wish to consider a proposal for a low railing along the southwestern boundary of the site to provide passive surveillance (a 1.2m high wall and 0.8m railing) as an alternative proposal.
- (2) the wooden 'enclosed yard' fence that surrounds the entire west facing and southern facing side of the site reduced to a maximum height of 2 metres.

Assessment

The applicant has submitted a cover letter from *H2B Architects* outlining the changes coinciding with drawing ref *2018-SL r1* titled *Site Plan* and drawing ref *2018-Fence* titled *Site Plan*.

- (1) The applicant has submitted a 2 metre high southern (side) timber fence boundary wall. The applicant proposes a low wall along the southwestern boundary (front) of the site to provide passive surveillance at 0.8m with a 3.5m wide vehicular entrance.
- (2) The front boundary of the site has been reduced to a 0.8m wall. The wooden 'enclosed yard' fence that surrounds the entire side (southern) facing and rear (east) of the site reduced to a maximum height of 2 metres. This is now considered acceptable.

Item 3

The applicant has not submitted surface water drainage plans for the proposed development for retention.

The applicant is requested to:

- (i) submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdblincoco.ie. All works are to comply with the Greater Dublin Regional Code of Practice for Drainage Works.
- (ii) include Water Butts as part of additional Sustainable Drainage Systems (SuDS) features for the proposed development for retention.

Assessment

The applicant has submitted a 'Irish Water Web Map' by Irish Water.

The Surface Water Drainage report states no objection and subject to standard conditions and to include Water Butts as part of additional Sustainable Drainage Systems (SuDS) features for the proposed development.

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Irish Water report states no objection and that all works are required to comply with the Irish Water and wastewater Standard Details & Code of Practice for Water Infrastructure.

This is now considered acceptable.

Item 4

(1) The Planning Authority has concerns in relation to the width of the vehicular access due to the potential visual impact and impact on traffic/pedestrian safety. The applicant is therefore requested to submit revised drawings showing plan and elevation of vehicular access, boundary wall and dished footpath and kerb. The applicant should note that a maximum width of 3.5m will be required.

(2) The Planning Authority cannot trace planning history for the widening of the vehicular access. The applicant is requested to submit all relevant planning permissions granted at this site for the widening of the vehicular entrance. If none can be found, the applicant is requested to submit revised statutory notices seeking permission for the vehicular, entrance (taking Item 1 into consideration).

Assessment

The applicant has submitted a cover letter from *H2B Architects* and has stated:

'In relation to existing vehicular access the client is going to reinstate existing entrance', The applicant has submitted a revised drawings showing plan and elevation of vehicular access via drawing ref *2018-Fence* titled *Site Plan*. The applicant has a extended to maximum width of 3.5m and stated that the wall was knocked down by the public. The wall would not require revised statutory notices in the matter of reinstatement. The Roads Report states no objections and no further conditions.

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

Extension for Retention:	43.8sq.m
Assessable Area:	43.8sq.m

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SEA Monitoring Information

Building Use Type Proposed: Residential- Extension
Floor Area: 43.8sq.m
Land Type: Brownfield/Urban Consolidation.
Site Area: 0.0301 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 Retention 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 retained and completed fully in accordance with plans, particulars and specifications lodged with the application, within 12 months of the grant of permission, save as may be required by other conditions attached hereto.
REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Modifications.
Within 6 months of the date of this permission or a timeline as otherwise agreed in writing with the Planning Authority, the door within the front elevation of the side extension, shall be permanently closed up and made good.
REASON: To protect the amenities of the area and in the interests of the proper planning

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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) All works are to comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure.

(ii) All works are to comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure.

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) Surface water drainage.

(i) The applicant is required to include Water Butts as part of additional Sustainable Drainage Systems (SuDS) features for the proposed development.

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

- The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

- 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 drainage provision.

(e) 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

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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.

(f) Construction Noise and Hours.

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

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

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

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

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

(i) The 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.

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

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(iii) 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.

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

5. 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.

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.

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

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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. Financial Contributions.

The developer shall pay to the Planning Authority a financial contribution of €4,576.66 (four thousand five hundred and seventy six euros and sixty six 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 Act 2000 (as amended). This contribution is to be paid on receipt of Final Grant of Permission.

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.

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REG. REF. SD21B/0514

LOCATION: 35, Foxborough Road, Lucan, Co. Dublin

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 Retention 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: 09/03/2022

jjohnston

**Jim Johnston,
Senior Executive Planner**