

Comhairle Chontae Atha Cliath Theas

PR/0397/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21B/0493 **Application Date:** 17-Sep-2021
Submission Type: Additional **Registration Date:** 02-Mar-2022
Information

Correspondence Name and Address: Emmet Duggan Architects Beech Lodge Design Studio, Beech Road, Arklow, Co. Wicklow

Proposed Development: Alterations and additions to existing detached dormer dwelling; construction of new single storey extension to rear; construction of new dormer extension to north gable end; new playroom at ground floor level; guest bedroom at first floor level; new bay window extension to existing bedroom at ground floor level to the rear; 2 new dormer windows in lieu of existing 'Velux' rooflights to 2 existing first floor dormer bedrooms to the rear; construction of new detached carport to north gable end and front of existing dwelling; all ancillary site works.

Location: Hazelberry, Hazelhatch, Celbridge, Co. Dublin

Applicant Name: Brendan McAtamney & Caroline Dowling

Application Type: Permission

(DF)

Description of Site and Surroundings:

Site Visit: 12.10.2021

Site Area: 0.426Hectares.

Site Description:

The site comprises a generally rectangular landholding on the eastern side of Balscott Road in Hazelhatch. The site contains a detached bungalow dwelling with accommodation at attic level. The site has mature-planted boundaries on all sides. The boundary with Balscott Road is a mixture of trees and hedgerow. Two gated access points noted on the site. These are (a) the vehicular access point serving the existing house and (b) a narrow double gateway access along the eastern part of the roadside boundary which is no longer used. Hazelhatch train station is located to the north and west of the site.

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Proposal:

- Alterations and additions to existing detached dormer dwelling;
- construction of new single storey extension to rear;
- construction of new dormer extension to north gable end;
- new playroom at ground floor level;
- guest bedroom at first floor level;
- new bay window extension to existing bedroom at ground floor level to the rear;
- 2 new dormer windows in lieu of existing 'Velux' rooflights to 2 existing first floor dormer bedrooms to the rear;
- construction of new detached carport to north gable end and front of existing dwelling; all ancillary site works.

Zoning:

The subject site is subject to zoning objective 'RU' - 'To protect and improve rural amenity and to provide for the development of agriculture'.

Consultations:

- Roads: No objections, subject to conditions.
- Water Services: Additional Information Requested
- Irish Water: No report received
- EHO: No response

SEA Sensitivity Screening

- Indicates overlap with: Rural 2016

Submissions/Observations /Representations:

None received. Date for final submissions 21/10/21.

Relevant Planning History:

Subject Site:

SD15B/0370. Alterations & additions to an existing detached dormer dwelling comprising: the demolition of an existing single-storey sunroom extension to gable end, the construction of a new single-storey kitchen/livingroom extension to rear, the construction of a new boiler house and store room to rear, modifications to existing front elevation including the provision of new 'Velux' rooflights and slate finish to existing pitched roof, alterations to existing window openings and the construction of a new entrance porch, together the upgrade of and existing septic tank to a new on-site waste-water treatment facility to current EPA standards, and all ancillary site works.

Grant Permission

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SD15B/0276. Modifications to an existing vehicular entrance gate and provisions of a new driveway from public road to north-west corner, to provide for improved sight lines at existing detached dormer dwelling.

Refuse Permission

Reason: the provision of two vehicular entrances

SD14B/0266. Alterations and additions to an existing detached dormer dwelling comprising: the demolition of an existing single storey sunroom extension to gable end; construction of a new two storey dormer extension to rear with new kitchen/living room areas at ground floor level and two new bedrooms and bathrooms at first floor level; construction of a new single storey link-structure comprising a new main entrance hall to rear together with any associated works including the upgrade of an existing septic tank to a new on site waste-water treatment facility to current EPA standards and all ancillary site works. The application shall also include a proposal to reopen and modify an existing vehicular site entrance gate to provide for improved sight lines and the formation of a new driveway to same.

Grant Permission

S99B/0392. Retain conservatory extension to side of existing dwelling.

Grant Permission

Adjacent sites:

SD05B/0209. Single storey sun lounge extension to side of an existing dwelling

Grant Permission

Relevant Enforcement History:

None recorded for subject site.

Pre-Planning Consultation:

None recorded for subject site.

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

Section 2.5.0 Rural Housing

Policy H20 Management of Single Dwellings in Rural Areas

It is the policy of the Council to restrict the spread of dwellings in the rural "RU", Dublin Mountain 'HA-DM', Liffey Valley 'HA-LV' and Dodder Valley 'HA-DV' zones and to focus such housing into existing settlements.

Policy H21 Rural Housing Policies and Local Need Criteria

It is the policy of the Council that in accordance with the Sustainable Rural Housing Guidelines DEHLG (2005) and Circular SP 5/08 Rural Housing Policies and Local Need Criteria in Development Plans: Conformity with Articles 43 and 56 (Freedom of Establishment and Free

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Movement of Capital) of the European Community Treaty, 'persons who are an intrinsic part of the rural community' or 'persons working full-time or part-time in rural areas' as described under Section 3.2.3 (Rural generated housing) of the Sustainable Rural Housing Guidelines (2005) shall be favourably considered in relation to rural housing.

Policy H22 Rural Housing in RU Zone

It is the policy of the Council that within areas designated with Zoning Objective 'RU' (to protect and improve rural amenity and to provide for the development of agriculture) new or replacement dwellings will only be permitted in exceptional circumstances.

Objective 1

To consider new or replacement dwellings within areas designated with Zoning Objective "RU" (to protect and improve rural amenity and to provide for the development of agriculture) where:

- The applicant can establish a genuine need to reside in proximity to their employment (such employment being related to the rural community) OR
- The applicant has close family ties with the rural community.

Policy H25 Replacement Dwellings in Rural and High Amenity Areas

It is the policy of the Council to consider applications for replacement dwellings in rural and high amenity areas where there is a genuine need for refurbishment and/or replacement.

Objective 1

To favourably consider applications for replacement dwellings within areas designated with Zoning Objective 'RU' (to protect and improve Rural Amenity and to provide for the development of Agriculture), Zoning Objective 'HA – Dublin Mountains' (to protect and enhance the outstanding natural character of the Dublin Mountains Area), Zoning Objective 'HA – Liffey Valley' (to protect and enhance the outstanding character and amenity of the Liffey Valley) and Zoning Objective 'HA – Dodder Valley' (to protect and enhance the outstanding character and amenity of the Dodder Valley) where the Planning Authority is satisfied that all of the following are met:

- There is a genuine need for replacement or refurbishment of the structure; **and**
- The roof, internal walls and external walls of the structure on site are substantially intact; **and**
- The structure on site is a habitable dwelling and its use as a habitable dwelling has not been abandoned (for a period that exceeds 5 years); **and**
- The structure on site is of limited value in terms of built heritage, character and visual amenity; **and**
- The replacement dwelling would largely occupy the same footprint, scale and location of the dwelling to be replaced, save in exceptional circumstances where the Planning Authority agrees a more favourable position in the context of the development management criteria outlined in Chapter 11 Implementation.

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Policy H27 Rural House and Extension Design

It is policy of the Council to ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.

Objective 1:

Ensure that all new rural housing and extensions within areas designated with Zoning Objective 'RU' (to protect and improve Rural Amenity and to provide for the development of Agriculture), Zoning Objective 'HA-DM' (to protect and enhance the outstanding natural character of the Dublin Mountains Area), Zoning Objective 'HA-LV' (to protect and enhance the outstanding character and amenity of the Liffey Valley) and Zoning Objective 'HA-DV' (to protect and enhance the outstanding character and amenity of the Dodder Valley):

- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; **and**
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; **and**
- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; **and**
- Retains and reinstates traditional roadside and field boundaries; **and**
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; **and**
- Would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards; **and**
- Would not create or exacerbate ribbon or haphazard forms of development.

Section 7.1.0 Water Supply & Wastewater
Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater
Policy IE2 Surface Water & Groundwater

Section 8.1.0 Green Infrastructure Network
Policy G2 Green Infrastructure Network

Section 9.1.0 Built Heritage and Architectural Conservation
Policy HCL 1- Overarching

Section 9.1.1 Archaeological Heritage
Policy HCL 2 Archaeological Heritage

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Section 9.1.3 Architectural Conservation Areas
Policy HCL 4 Architectural Conservation Areas

Section 9.2.0 Landscapes
Policy HCL7 Landscapes

Section 9.2.1 Views and Prospects
Table 9.2: Prospects to be Preserved and Protected
Policy HCL8 Views and Prospects

Section 9.7.0 Sites of Geological Interest
Table 9.6 County Geological Sites for Protection
Policy HCL19 Geological Sites

Section 11.3.4 Rural Housing
Section 11.3.4 (i) Housing Need

Section 11.3.4 (ii) Rural Housing Design
Section 11.3.4 (iii) Wastewater Treatment

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

Table 11.20: Minimum Space Standards for Houses

Section 11.4.1 Bicycle Parking Standards
Table 11.22: Minimum Bicycle Parking Rates

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 11.6.1 (i) Flood Risk Assessment
Section 11.6.1 (ii) Surface Water
Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)
Section 11.6.1 (iv) Groundwater

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Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.8.0 Environmental Assessment

Relevant Government Guidelines:

Sustainable Rural Housing Guidelines for Planning Authorities DoEHLG (2005).

Wastewater Treatment and Disposal Systems Serving Single Houses Environmental Protection Agency (November 2009).

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG (2009).

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

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)

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice, Building Research Establishment, (1991).

Assessment:

The main issues for assessment are:

- Zoning and Council policy
- Visual Impact and Residential Amenity
- Water Services
- Roads
- Screening for Appropriate Assessment
- Screening for EIA

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Zoning and Council Policy

Residential development is 'open for consideration' under the 'RU' land-use zoning objective, but only where such development is consistent with the rural housing policy contained in sections 2.5.0 and 11.3.4 of the County Development Plan.

"Land uses that are listed as 'open for consideration' in the land use zoning tables may be acceptable to the Planning Authority subject to detailed assessment against the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in this Plan."

"Proposed uses in this category will be subject to full assessment on their own merits and particularly in relation to their impact on the development of the County at a strategic and a local level. Such uses may only be permitted where they do not materially conflict with other aspects of the County Development Plan."

Visual Impact and Residential Amenity

The proposal includes the following:

Ground floor Extension – Two-storey side extension

It is proposed to extend the dwelling with a two-storey structure directly to the north of the existing structure. The structure comprises:

- Its own front door, cloak room, lobby, playroom, WC shower, store (at ground level) and landing, attic store and guest bedroom, at first floor level.
- The two-storey extension will be connected via a door from the lobby and the existing utility room in the main house. There is no proposed connection at first floor level.
- This structure will have its own staircase and front and back door.
- This section of proposed development will have an approximate floor area of 72sqm.

The Planning Authority has concerns that this section of the proposed development may act as a separate dwelling. It is noted that planning permission has not been sought for an additional dwelling on the site, nor has a rationale/justification been submitted that would address compliance with County Development Plan Policy/objectives. **ADDITIONAL INFORMATION.**

Ground floor Extension/Modifications (exclusive of the two-storey extension element)

It is proposed to extend the floor area at ground floor level as follows:

- The ground floor master suite extension would project beyond the existing rear building line by 1.135m. Approximate floor area 6sqm.
- The kitchen/lounge area would project a further 3.7m beyond the existing rear projection. An approximate floor area 26sqm.
- Two Additional window opes in the western/front elevation of the 'livingroom'.

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Ground floor Extension/Modifications (exclusive of the two-storey extension element)

It is proposed to extend the existing dwelling into the roof by a series of modifications Including:

- An attic room measuring approximately 12sq.m requiring a dormer structure to the rear measuring 2m x 3.1m (6.2sq.m).
- Extension to an existing bedroom (granted on the foot of Reg. Ref. SD15B/0370 to include an ensuite bedroom, sitting room and balcony, measuring 20sq.m gross.
- An ensuite and new roof light (front elevation) and small balcony (rear) to the second bedroom
- floor area at ground floor level as follows:

The Planning Authority has had regard to Policy H27 Objective 1 - Rural House and Extension Design, which seeks to protect and improve rural amenity. The proposed amendments would not have a negative impact on the environment or the rural amenity. The Planning Authority is satisfied that the extension elements to the existing dwelling structure will not have an adverse impact on the residential amenity of the adjacent properties. It will not detract from the appearance of the dwelling and is considered acceptable and conforms to Policy H27 in the County Development Plan.

Car Port

- The car port structure will have an overall height of 4.68m with a hipped roof profile and will have a floor area of 46.29sq.m. It would be located forward of the north-western corner of the existing house (and proposed two-storey extension). An approximate 2m high wall and wooden access door is proposed to connect to the main house and provide access to the rear of the property.

Notwithstanding the overall size of the car port, it is considered that having regard to the screening on the site and subject to the closing of the second access to the site (most northerly), which should comprise the removal of the gate, build-up of the low-rise stone wall and increased planting along the north-western boundary, the proposed car port would not give rise to significant negative visual impact. **This can be achieved by way of condition.**

Water Services

Water Services has requested additional information regarding the soakaway and soil percolation. This will be addressed by way of additional information.

Roads

No objections raised, subject to conditions.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, and the distance from Natura sites, it is not considered that the development would not be likely to have a significant effect

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individually or in combination with other plans or projects on a European site, therefore Stage 2 Appropriate Assessment is not required.

Screening for Environmental Impact Assessment

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

Other considerations

Development Contributions

- Alterations and additions to existing detached dormer dwelling;
- construction of new single storey extension to rear;
- construction of new dormer extension to north gable end;
- new playroom at ground floor level;
- guest bedroom at first floor level;
- new bay window extension to existing bedroom at ground floor level to the rear;
- 2 new dormer windows in lieu of existing 'Velux' rooflights to 2 existing first floor dormer bedrooms to the rear;
- construction of new detached carport to north gable end and front of existing dwelling; all ancillary site works.

Permission for Residential extension/car port:

Previous extensions: c227sq.m.

Residential Extension-133.8sq.m

Car port-42sq.m

Assessable area: 133.8sq.m contributions required

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – additional floor space	133.8sq.m
Land Type	Site Area (Ha.)
RU	0.426ha

Conclusion

Having regard to the nature and design of the proposed extension, the two-storey element, with independent access and minimum connection to the existing dwelling could be deemed to be an additional dwelling on the site; this requires clarification.

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AI is required to alleviate concerns regarding drainage.

Notwithstanding the balcony elements proposed at first floor level in the proposed roof extension of the existing dwelling it is considered that the proposed additions to the existing dwelling can be accommodated on the site without significant negative impact on adjoining visual and residential amenity and would be generally compliant with the County Development Plan zoning objectives.

Recommendation

I recommend that ADDITIONAL INFORMATION be requested from the applicant with regard to the following:

1. The applicant is requested to submit:

(1) a report by way of additional information showing site specific soil percolation test results and design calculations for the existing soakaway which demonstrates that the existing soakaway has sufficient capacity to manage excess surface water run off from the proposed development in accordance with BRE Digest 365 - Soakaway Design.

(2) a revised drawing showing plan & cross-sectional views, dimensions, and location of existing/proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

(i) At least 5m from any building, public sewer, road boundary or structure.

(ii) Generally, not within 3m of the boundary of the adjoining property.

(iii) Not in such a position that the ground below foundations is likely to be adversely affected.

(iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.

(v) Soakaways must include an overflow connection to the surface water drainage network.

2. It is proposed to extend the dwelling by adding a two-storey structure directly to the north of the existing dwelling structure. This 72sq.m (approximate) structure will be provided with its own staircase and front and back door, bedroom, living space and bathroom. Its connection to the principal structure is considered to be tacit and the Planning Authority is concerned that it will be used as a separate dwelling unit. The applicant is therefore requested to clarify the use of this section of the proposed development: (1) If this two-storey element is to be assessed as an

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extension to the dwelling, the proposed design should be significantly modified and the applicant is requested to submit revised drawing that clearly demonstrate that all structures on the site will act as one dwelling unit only. (2) If this two-storey element is to be assessed as a separate dwelling unit, the applicant is requested to submit revised statutory notices which accurately detail the proposed development on site and submit documentation supporting compliance with the rural housing policy contained in the County Development Plan.

3. The applicant is requested to submit a planting scheme for the north-western (front) boundary, which fills in any gaps in the existing planted screening. The Planting Scheme should demonstrate that the planting will significantly screen the site (and development thereon) from the public road within a 5-year period.

Additional Information

Additional Information was requested on 12th November 2021.

Additional Information was received on 2nd March 2022.

The Additional Information received was not deemed to be significant, as such the Applicant was not required to erect a Site Notice or publish a Newspaper Notice.

Submissions/Observations

No submissions / observations received.

Assessment

The following Additional Information was received from the Applicant on 2nd March 2022:

- Cover Letter prepared by Emmet Duggan Architects Limited dated 1st March 2022.
- Drawing No. 21-1026-RFI01 – Ground Floor & First Floor Plans prepared by Emmet Duggan Architects Limited
- Drawing No. 21-1026-RFI02 – Elevations, Section C-C & Site Layout Plan prepared by Emmet Duggan Architects Limited
- Letter of Response and accompanying drawing prepared by Ian Heffernan & Associates
- Images of recent planting at the subject site.

The Additional Information provided by the Applicant will be assessed below in the context of the 3 No. items of Additional Information requested by the Planning Authority on 12th November 2021:

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Additional Information Item No. 1

In response to Additional Information Item No.1 Ian Heffernan & Associates have provided a cover letter and accompanying drawing outlining the details of the proposed soakaway. In addition, Emmet Duggan Architects Limited have provided a revised Site Layout drawing showing the location of the proposed soakaway.

The Applicant's response to Additional Information Item No. 1. has been reviewed by the Drainage and Water Services Department and Irish Water, both of whom have indicated no objection, subject to standard conditions.

Additional Information Item No. 1 has therefore been satisfactorily addressed.

Additional Information Item No. 2

In response to Additional Information Item No.2 Emmet Duggan Architects Limited have indicated in their Cover Letter dated 1st March 2022 that the proposed development is to operate as a single family dwelling only. The internal configuration of the proposed development has been revised (as shown in the drawings provided with the response received 2nd March 2022).

The Planning Authority is satisfied that a CONDITION can be attached ensuring that the dwelling shall operate as a single family dwelling only. Any breach of such condition could lead to enforcement proceedings.

Additional Information Item No. 2 is therefore deemed to have been satisfactorily addressed.

Additional Information Item No. 3

The Applicant has provided photographic evidence of planting at the subject site which has filled any gaps in the existing planted screening, together with additional proposed planting as illustrated in the revised drawings.

It is therefore considered that Additional Information Item No. 3 has been satisfactorily addressed.

Other Consideration

Development Contributions

Development Contributions	
Building Use Type Proposed	Floor Area (sq m)
Residential (Extension)	133.8sq.m
Previous Extension	277sq.m
Assessable Area	133.8sq.m

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SEA Monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – additional floor space	133.8sq.m
Land Type	Site Area (Ha.)
RU	0.426ha

Conclusion

Having regard to the South Dublin County Development Plan 2016-2022, the South Dublin House Extension Design Guide (2010) and the amendments applied in the Additional Information submitted by the Applicant, the Planning Authority is satisfied that the proposed development adheres to the key principles of proper planning and sustainable development.

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 2nd March 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.

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2. (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's standards, codes and practices.

(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.

(iv) Include water butts as part of additional Sustainable Drainage Systems (SuDS) features for the proposed development.

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) Roads/Traffic

(i) 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.

(ii) The vehicular access point shall not exceed a width of 3.5 meters.

(iii) Any gates shall open inwards and not outwards over the public domain.

(iv) 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.

(v) The entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.

REASON: In the interests of traffic safety and proper planning and sustainable development.

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(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 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.

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3. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €13,980.76 (thirteen thousand nine hundred and eighty euros and seventy 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 Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

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/0397/22

Record of Executive Business and Chief Executive's Order

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; the applicant should apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

Comhairle Chontae Atha Cliath Theas

PR/0397/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD21B/0493

LOCATION: Hazelberry, Hazelhatch, Celbridge, 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 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:

29/3/22

Eoin Burke
Eoin Burke, Senior Planner