

South Dublin County Council
An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
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Tara Cooke
13, Clarinda Park North
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NOTIFICATION OF DECISION TO GRANT PERMISSION
PLANNING AND DEVELOPMENT ACT 2000 (as amended) & PLANNING
REGULATIONS THEREUNDER

Decision Order Number: 0548	Date of Decision: 26-Apr-2022
Register Reference: SD21B/0530	Date: 29-Mar-2022

Applicant: Thomas & Hazel Reilly

Development: Partial demolition and reconstruction of a 2 storey, corner extension to the rear; provision of a new flat roof with rooflight to this extension; demolition of the two storey extension at the centre of the back (east) of the house; construction of a new flat roofed two storey extension with roof lights; repairs to windows with replacements where necessary or appropriate; construction of single storey bay extension with pitched roof to the south elevation at lower ground floor/basement level; minor internal alterations, general refurbishment, provision of maintenance access to centre valley, addition of photovoltaic panels, repairs to plasterwork, increase in height of rear garden boundary wall to the north; outbuilding to the rear, internal alterations, roof repairs, new doors and window and general refurbishment; minor hard and soft landscaping works including parking area to the northeast; all ancillary site works above and below ground.

Location: Oak Lodge, New Road, Clondalkin, Dublin 22, D22F516

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 07-Dec-2021 /29-Mar-2022

Clarification of Additional Information Requested/Received:

DECISION TO: Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, 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 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

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 condition(s) set out hereunder is thereby 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 29 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.
2. Architectural Conservation.
 - (a) The proposed works to the Protected Structure, subject to the submission of the requirements set out, hereby permitted are;
 - (i) Demolition of small modern extension to the centre rear of the house and associate making good where this extension is attached to the original rear wall of the existing house.
 - (ii) Minor works to the extension at the north east corner of the rear of the house.
 - (iii) Construction of a single-storey extension at the south side of the semi-basement of the house (new bay extension)
 - (iv) Provision of a rooflight at the centre valley of the roof to provide maintenance access

(v) New boundary wall where the existing fencing has failed

(vi) Landscaping Works.

(b) The proposed new opening between two rooms on the north side of the upper floor of the house shall be omitted. Prior to the commencement of development, the applicant shall submit a revised Upper Ground Floor Plan indicating that this element has been omitted from the plans.

(c) Prior to the commencement of development, the applicant shall submit revised plans that indicate the proposed new bay extensions door and side lights shall be painted timber to match the original door and window materials. It is noted that aluclad or uPVC timber is referenced on the drawing (21-04-FI-01). The use of uPVC is not acceptable as a material type for new additions and use for a Protected Structure.

(d) Prior to the commencement of development, the applicant shall submit a Schedule of Materials and final details for all new windows and doors as well as the proposed new additions and elements to the Protected Structure proposed for the written agreement of the Planning Authority.

(e) Prior to the commencement of development, the applicant shall provide revised plans, which indicate that where windows are being revised, the applicant shall reinstate original window types that match the historically correct type with regard to design, profile and material and reinstate. The submitted plans shall detail that the ground floor east elevation window shall be retained as per the existing window opening unless justification for its replacement is provided and otherwise agreed in writing by the Planning Authority.

(f) Prior to the commencement of development, the applicant shall submit details for the written agreement of the Planning Authority in relation to the existing stair window at first floor level which is proposed to be glazed.

(g) Safety measures shall be put in place during the proposed demolition works and works proposed. Prior to the commencement of development, the applicant shall submit a Safety Statement for the written agreement of the Planning Authority detailing how the existing structures will be protected during demolition works and site clearance/excavation and new works.

REASON: In the interests of protecting the Protected Structure.

3. (a) 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.

(b) 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.

(c) 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.

(d) 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. Rear Shed

The rear shed shall not be used for habitable purposes

REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

5. Drainage.

(a) The applicant shall include Water Butts as part of additional Sustainable Drainage Systems (SuDS) features for the proposed development.

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

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

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

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

6. Windows

Replacement windows shall replicate those in the current building. This includes colour and type including casement/sash

REASON: In the interest of visual amenity.

7. Irish Water

1. Water

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

REASON: In the interest of public health and to ensure adequate water facilities.

2 Foul

(a) Where a new wastewater connection is proposed for the development then the applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water/waste water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department prior to the connection being made. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

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

REASON: In the interest of public health and to ensure adequate water facilities.

8. Amendments - Glazing.

The following amendment to the design shall be carried out:

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

REASON: In the interest of residential amenity.

9. Roads.

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

REASON: In the interests of safety.

10. Gates.

No gate to be installed or erected shall be capable of opening across any public footpath, cycle-track, roadway or right of way, and any front entrance pillars shall be a maximum height of 1.2m .

REASON: In the interests of visual amenity and pedestrian safety.

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.

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.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014 the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.


for **Senior Planner**

29-Apr-2022

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

(B) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
2. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development.....€4,500.00 or €9,000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)..... €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal..... €110.00
 - (f) Appeal following a grant of leave to appeal..... €110.00
 - (g) Referral €220.00
 - (h) Reduced fee (payable by specified bodies) €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing..... €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at Telephone 01-858 8100