

Comhairle Chontae Atha Cliath Theas

PR/0681/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0002 **Application Date:** 04-Jan-2022
Submission Type: Clarification of Additional Information **Registration Date:** 04-May-2022

Correspondence Name and Address: William Judge and Aranzazu Lera Anton

Proposed Development: (1) New render insulation finish to external walls; (2) Replacement of the existing windows; (3) Extension of the roof over first floor bay window to allow new thickness of external render insulation; (4) Creation of a window opening at the west facade of the building at ground floor; (5) Demolition of the existing garage, sheds gables and (6) Construction of the new extension to the side (east) rear (north), the extensions are part single storey, with flat roofs; (7) Internal refurbishment and alterations to the existing building; (8) New utilities meters wall, landscaping and associated site works.

Location: St. Kevins, 17, Rathfarnham Park, Rathfarnham, Dublin 14.

Applicant Name: William Judge and Aranzazu Lera Anton

Application Type: Permission

Description of Site and Surroundings:

Site Area

Stated as 0.052ha

Site Description

The subject site is located in an established residential area known as Rathfarnham Park. The site is bound to the south by the junction of Rathfarnham Park and Ballytore Road, to the east by a 2 storey residential dwelling at No. 17a Rathfarnham Park which has a single storey return directly adjacent to the party boundary, to the west by a 2 storey residential dwelling at No. 15 Rathfarnham Park and to the north by a 3 storey dwelling that fronts onto the Dodder Park Road known as 'Carrick' which is within the ownership of the Applicant.

The subject site contains a 2 storey three bedroom dwelling which sits forward approximately 7m from the front building line of No. 15 Rathfarnham Park to the west and approximately 10m forward of the front building line of No. 79 Rathfarnham Park to the east. The existing dwelling is comprised of an entrance hallway, living room, dining room, kitchen and scullery at ground

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floor level and 3 bedrooms, a family bathroom and a shower room at first floor level. There is a single storey garage attached to the eastern elevation of the dwelling and a single storey shed and outhouse to the rear of the garage.

Proposal:

Permission is sought for the following:

- New rendered insulation finish to the external walls along the western and southern elevations.
- Replacement of the existing windows.
- Extension of the roof above the existing first floor bay window to facilitate new thickness of the external render insulation.
- Creation of a new ground floor level window opening to the western façade.
- Demolition of the existing single storey garage affixed to the eastern elevation of the dwelling and demolition of the single storey shed and outhouse structures to the rear of the garage. The stated Gross Floor Area of the proposed demolition is 26sq.m.
- Construction of a part 1 to part 2 storey flat roofed extension to the side (east) and rear (north) of the existing dwelling.
- The proposed side extension projects approximately 2.21m from the eastern elevation of the dwelling and presents a single storey height of 4.21m for a length of approximately 4.93m along the eastern elevation, stepping up to a two storey height of 6.78m for the remaining 3.51m along the eastern elevation.
- The proposed rear extension projects approximately 5.94m from the existing rear elevation of the dwelling, with a 4.6m high single storey element spanning 3.1m of the rear elevation and a 6.97m high two storey element spanning the remaining 6.52m of the rear elevation.
- The installation of an external heat pump unit on the single storey flat roof portion of the proposed side extension.
- The installation of PV panels and a roof light to the flat roof of the two storey portion of the proposed rear extension.
- A new 1.8m high utilities meters wall to the front of the single storey garage, adjacent to the eastern boundary of the subject site.

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- All associated site works above and below ground.

Zoning:

The subject site zoned 'RES' in the South Dublin County Development Plan 2016-2022, where the stated objective is 'to protect and/or improve residential amenity'.

SEA Sensitivity Screening:

Overlap is indicated with the 'SFRAB 2016' layer of the SEA Sensitivity Dynamic Assessment, owing to the subject site's location just outside of Flood Zone B of the Strategic Flood Risk Assessment which accompanies the Development Plan.

Consultations:

Drainage and Water Services: Additional Information required.

Irish Water: No objection, subject to conditions.

Submissions/Observations /Representations:

Final date for submissions/observations – 7th February 2022.

One submission was received in relation to the proposed development, the key points of which are briefly summarised below:

- The proposed development appears to be directly adjacent to the boundary with No. 17a Rathfarnham Park.
- The existing dwelling at No. 17a Rathfarnham Park sits approximately 1m below ground level and is set back from the building line created by the proposed development. The proposed development adjacent to the boundary will impose a significant height difference when compared to the single storey front of No. 17a Rathfarnham Park.
- No. 17a Rathfarnham Park has possibly been underpinned and there are concerns that groundworks resulting from the proposed development so close to the boundary may cause further disturbance to the adjacent property.

The concerns outlined in the submission have been taken into account in the assessment of the proposed development, which is further outlined in this Report.

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Relevant Planning History:

Subject Site

SD06B/0705: St. Kevin's, No. 17 Rathfarnham Park, Rathfarnham, Dublin 14.

Alterations extensions and refurbishment including the removal of existing garage and shed and construction of new two storey extension to side, demolition of existing rear wall and part side gables and construction of new split level three storey extension (into roof space) at rear and new single storey side porch at lower level and all associated site works. **Decision:** Permission Granted, subject to conditions.

Adjacent Sites

SD16B/0083: New Barn, No. 17A Rathfarnham Park, Dublin 14 (directly to the east of the subject site).

Single storey extension to the rear, alterations to the existing single storey elevation to include blocking up a doorway and the construction of a new window, a new single storey front porch extension & alterations to the existing ground floor front elevation to include replacing a doorway and two windows with a single window. **Decision:** Permission Granted, subject to conditions.

SD10B/0357: 'Carrick', Dodder Park Road, Rathfarnham, Dublin 14 (directly to the north of the subject site).

Retention permission for variations comprising additional single storey kitchen/utility room at rear (31.22sq.m.), additional open balcony area to side garden (5.28sq.m.), additional lounge window to west elevation; additional bedroom window to east elevation and general revisions to window fenestration and elevational detailing in the as built dwelling house. **Decision:** Grant Permission for Retention.

ED08/0014: No. 15 Rathfarnham Park, Rathfarnham, Dublin 14 (directly to the west of No. 17 Rathfarnham Park).

Declaration of Exemption sought for conversion of attic space. **Decision:** Declared Exempted Development.

SD07B/0501: Rear of Nos. 15 & 17 Rathfarnham Park, And Fronting Dodder Park Road, Rathfarnham, Dublin 14 (directly to the north of the subject site).

Retention for an existing under garden garage & store area for use in relation to the provision and maintenance of a geothermal heat pump installation system and general storage for the main dwelling house on lands to rear of Nos. 15 & 17. **Decision:** Grant Permission for Retention.

SD03A/0134: Site at 15 Rathfarnham Park, fronting Dodder Park Road, Dublin 14 (directly to the north of the subject site).

Three storey contemporary dwelling house and associated site works. **Decision:** Grant Permission, subject to conditions.

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SD02A/0741: Site at 15 Rathfarnham Park, fronting Dodder Park Road, Dublin 14 (directly to the north of the subject site).

Permission sought for a 3 No. storey contemporary dwelling house and associated site works.

Decision: Refuse Permission.

SD02A/0164: Site at 15 Rathfarnham Park, fronting Dodder Park Road, Dublin 14 (directly to the north of the subject site).

Permission sought for a 3 No. storey contemporary dwelling house and associated site

Decision: Refuse Permission.

Relevant Enforcement History:

Subject Site

None recorded.

Adjacent Sites

S4563: Site at 15 Rathfarnham Park lying to rear 17 Rathfarnham Park, fronting Dodder Park Road, Dublin 14.

Felling of trees on wooden bank for alleged construction of house. **Status:** File Closed. **Reason:** Retention Permission Granted under SD07B/0501.

S3669: Site to rear of Nos. 15 and 17 Rathfarnham Park, Rathfarnham, Dublin 14.

Owner allegedly carrying out development work on land owned by the Council. **Status:** Closed.

Pre-Planning Consultation:

None recorded.

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Policy H18 Objective 1:

To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

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Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

The House Extension Design Guide contains the following guidance on house extensions, including for porches and front extensions:

Elements of Good Extension Design:

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

Rear extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Match the shape and slope of the roof of the existing house, although flat-roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*
- *Do not create a higher ridge level than the roof of the main house.*

Side Extensions

- *Respect the style of the house and the amount of space available between it and the neighbouring property, for example:*
 - *if there is a large gap to the side of the house, and the style of house lends itself to it, a seamless extension may be appropriate;*

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- *if there is not much space to the side of the house and any extension is likely to be close to the boundary, an ancillary style of extension set back from the building line is more appropriate;*
- *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.*
- *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.*
- *Leave a gap of at least 1m between the extension and the side party boundary with the adjoining property to avoid creating a terraced effect. A larger gap may be required if that is typical between properties along the street.*
- *If no gap can be retained, try to recess side extensions back from the front building line of the main house by at least 50cm and have a lower roof eaves and ridge line to minimise the terracing effect. In the case of a first floor extension over an existing garage or car port that is flush with the building line of the main house, the first floor extension should be recessed by at least 50cm.*
- *Match the roof shape and slope of the existing house. In the case of houses with hipped roofs it can be particularly difficult to continue the ridge line and roof shape; however, it is more visually pleasing to do so if this will not result in a terracing effect with the adjoining house.*
- *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.*
- *Avoid creating a terraced effect and awkward join between the rooflines of two adjacent properties if building up to the party boundary.*
- *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.*
- *The use of a 'false' roof to hide a flat roofed extension is rarely successful, particularly if visible from the side.*
- *Avoid locating unsightly pipework on side elevations that are visible from public view. Consider disguising or recessing the pipework if possible.*
- *Extending a hipped roof to the side to create a gabled end or half-hip will rarely be acceptable, particularly if the hipped roof is visually prominent and typical of other houses along the street.*
- *Avoid the use of prominent parapet walls to the top of side extensions*

Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

Relevant Government Guidelines:

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

Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).

Urban Design Manual, 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).

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

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021)

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Planning Note:

There are a number of discrepancies and deficiencies in the information provided by the Applicant:

- **Application Form:** The Applicant's answer to Question No. 12 of the Application Form appears to indicate that the Gross Floor Area of the dwelling as a result of the proposed development will be 189.6sq.m. However, the areas quoted on the Proposed Ground and First Floor Plans appear to indicate that the proposal will result in a Gross Floor Area of 215.6sq.m. It would appear that the 'Total Area' figure quoted on the Proposed Ground Floor Plan fails to take account of the 26sq.m of demolition. However, the Applicant should be requested to clarify this discrepancy in the figures and provide either a corrected Application Form or an amended Proposed Ground Floor Plan. The Planning Authority is satisfied that this clarification can be provided by way of ADDITIONAL INFORMATION.
- **Site Location Plan:** The Site Location Plan appears to incorrectly annotate the property to the east of the subject site as No. 19 Rathfarnham Park. According to Eircode mapping, it appears that the property directly adjoining the eastern boundary of the subject site is known as 'New Barn', No. 17a Rathfarnham Park, Rathfarnham, Dublin 14, D14 TP65. However, it is noted that the Site Location Plan is based upon on OS Map and the Eircode Mapping also appears to annotate the property as No. 19 Rathfarnham Park. In this regard, this discrepancy is considered acceptable.

Assessment:

The main issues for assessment concern the following:

- Zoning and Council policy
- Residential and Visual Amenity
- Water Services and Drainage
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is located in an area that is subject to zoning objective 'RES' – '*To protect and/or improve Residential Amenity*'. The development of an extension or alteration to a dwelling is permitted in principle subject to its design being in accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.3 which relates to Extensions to Dwellings and the South Dublin County Council House Extension Design Guide (2010).

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Residential and Visual Amenity

Each element of the proposed development shall be assessed individually below, in the context of the potential impact on the residential and visual amenity of adjacent properties and the wider streetscape. The proposed development shall also be assessed against the relevant policy, including but not limited to the South Dublin County Development Plan 2016-2022 and the South Dublin County Council House Extension Design Guide (2010).

New rendered insulation finish to the external walls

The drawings provided by the Applicant appear to indicate the installation of new rendered insulation finishes to the external walls on the western (side) and southern (front) elevations of the existing dwellings.

The Proposed Elevations indicate that the external insulation will have a 'self colour render finish'. The Planning Authority has no objection in principle to the installation of new rendered insulation finishes to the western and southern elevations, provided they match/complement the existing and proposed materiality of the dwelling. The Planning Authority is satisfied that the details of the materials/finishes can be confirmed by way of CONDITION.

Replacement of windows

The proposed development includes the replacement of the existing windows, with the drawings accompanying the Planning Application showing annotating 'new aluminium framed windows' and the replacement of the bay windows with '5 pane sectional windows'. The drawings also indicated the replacement of the existing gutters and fascia.

The Planning Authority has no objection in principle to the replacement of the existing windows, provided there is no change to the size and location of the windows.

Roof Extension above Existing First Floor Bay Window

The proposed development includes the slight extension of the roof above the existing first floor bay window, to facilitate the thickness of the new external insulation render.

The proposed extension of the roof above the first floor window is minor in nature (c. 100mm) and will not significantly alter the character of the existing dwelling or the adjacent streetscape. In this regard, the Planning Authority considers the proposed roof extension above the first floor bay window to be acceptable.

New Fenestration to the Western Elevation

The drawings indicate the provision of a new window to the western elevation of the existing dwelling. The new window is located in the ground floor dining room and measures approximately 0.7m in width and 2.3m in height.

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The proposed new window is located approximately 2.5m from the boundary with the adjoining property, facing towards the side elevation of the single storey garage attached to No. 15 Rathfarnham Park. It is noted that the eastern elevation of No. 15 Rathfarnham Park contains 2 windows at ground floor level and 1 small window at first floor level. Owing to the siting of the proposed window in the western elevation, c.2.5m from the site boundary and adjacent to the eastern elevation of the single storey garage of No. 15 Rathfarnham Park, there is unlikely to be an adverse impact on the visual and residential amenity of adjacent properties. As such, the Planning Authority considers the proposed window in the western elevation to be acceptable.

Demolition

To facilitate the proposed development, the Applicant proposes to demolish the existing single storey garage affixed to the eastern elevation of the dwelling and the single storey shed and outhouse structures to the rear of the garage. The stated Gross Floor Area of the proposed demolition is 26sq.m. The structures proposed for demolition appear to directly abut the eastern boundary of the subject site with No. 17a Rathfarnham Park.

The principle of the proposed demolition of the single storey garage, shed and outhouse structures is acceptable to the Planning Authority.

Single Storey Extension to the Side

The proposed development includes the provision of a single storey extension to the side of the existing dwelling, providing a new garage in place of the demolished garage.

The existing garage has an approximate height of 3.36m, a width of 2.92m and a length of 6.4m. The existing garage projects approximately 1m outwards from the front elevation and is affixed to the eastern elevation of the existing dwelling and directly abuts the eastern boundary of the subject site. There is no fenestration in the proposed single storey structure, with a doorway in the front elevation providing access.

The proposed single storey side extension will provide a garage which has an approximate height of 3.96m, a width of 2.6m and a length of 4.6m. The proposed single storey side extension will sit approximately 0.4m behind the building line of the existing dwelling and directly abuts the eastern boundary of the subject site.

The Planning Authority considers that the proposed single storey side extension does not represent a significant departure from the existing scenario at the subject site. However, the proposed height appears to be slightly increased from the existing scenario. In relation to the potential for overbearance, the House Extension Design Guide states that Applicants should:

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'Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved'.

As such, it is considered that the height of the proposed single storey extension should either be reduced to match the height of the existing garage or alternatively the Applicant should consider setting back the structure at least 1m from the adjoining boundary to ensure compliance with the House Extension Design Guide. The Applicant should be afforded the opportunity to address this matter through a request for ADDITIONAL INFORMATION.

Part 1 to Part 2 Side and Rear Extension

The proposed development includes a part 1 to part 2 storey side and rear extension.

To the rear of the proposed single storage garage the proposal steps up to 2 storeys in height for a length of approximately 10.6m directly abutting the eastern boundary of the subject site and a width of approximately 6.5m to the rear of the existing dwelling. The proposed extension has an approximate height of 6.78m above ground along the eastern boundary and 6.97m above ground to rear of the dwelling owing to the sloping topography of the subject site. The eastern elevation of the two storey element has no fenestration, there is 1 new window in the southern (front) elevation, the northern (rear) elevation has 2 new large floor to ceiling windows at ground floor level and 2 windows at first floor level. In addition to the 1 new window proposed to the western elevation of the existing dwelling, the proposed extension includes 1 large floor to ceiling window at ground floor level and 2 windows at first floor level, one of which turns the corner from the southern elevation.

Similar to the proposed single storey garage, concerns arise regarding the potential for overbearance resulting from the siting of the 2 storey extension to the side directly abutting the eastern boundary. In this regard, the Applicant should consider the re-design of the 2 storey extension to ensure compliance with the House Extension Design Guide, specifically the *'separation distance of approximately 1m from a side boundary per 3m of height'*. This can be achieved by way of re-design submitted as ADDITIONAL INFORMATION.

The proposal steps down in height to 1 storey in the north-western corner of the dwelling, for a portion of the ground floor family room projecting an approximate length of 6.4m out from the existing rear elevation of the dwelling and measuring approximately 3.4m in width. The height of this single storey portion is 4.6m above ground level, which reads as a parapet height of 3.4m owing to the topography of the site. The single storey extension is located between 8m and 9m from the western boundary of the subject site. This is acceptable to the Planning Authority.

Whilst sufficient setback has been provided between the proposed extension and the adjacent boundary with the property to the west, a concern arises regarding the potential for overlooking

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to the property. Whilst the drawings appear to indicate a 1.8m translucent glass privacy screen to the single storey flat roof portion of the extension, no mention is made in the Statutory Notices or accompanying documentation to the use of this roof as an outdoor amenity space. The Applicant should be requested to clarify the intended use of this space by way of ADDITIONAL INFORMATION.

The roof profile of the proposed side and rear part 1 to part 2 extension is comprised of a flat roof. In relation to roof profiles of proposed extensions, the House Extension Design Guide (2010) states that extensions should:

'Match the roof shape and slope of the existing house. In the case of houses with hipped roofs it can be particularly difficult to continue the ridge line and roof shape; however it is more visually pleasing to do so if this will not result in a terracing effect with the adjoining house.

Match the shape and slope of the roof of the existing house, **although flat-roofed single storey extensions may be acceptable if not prominent from a nearby public road or area**

Do not include a flat roof to a prominent extension **unless there is good design or an architectural reason for doing so.** [Emphasis added]

The single storey flat roof portions of the extension are generally acceptable and considered to be in compliance with the House Extension Design Guide (2010). However the flat roof to the 2 No. storey portion of the proposal does not match the roof shape, slope and profile of the existing house. As such, the Planning Authority considers that the proposal does not adhere to the House Extension Design Guide (2010). In this regard, the Applicant should be requested to re-design the roof profile of the proposed extension. Alternatively, it is noted that the House Extension Design Guide states that flat roofing may be acceptable if there is *good design or an architectural reason for doing so*'. In this regard, should the Applicant wish to retain the flat roofed design, a strong rationale for doing so is required, this could be provided in the form of a Design Statement submitted by way of ADDITIONAL INFORMATION.

External Height Pump

The drawings indicate the installation of an external heat pump to the roof of the proposed single storey side extension along the eastern boundary. Whilst the Planning Authority has no objection in principle to the installation of a heat pump, it is considered that there should be no adverse impact to adjoining properties in terms of noise pollution. In this regard, the Planning Authority is satisfied that a CONDITION can be attached, limiting the noise emitting from the proposed heat pump.

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The Installation of PV Panels and a Rooflight

The proposed development includes the installation of PV Panels to the flat roof portion of the two storey rear extension. The Planning Authority is satisfied that the proposed PV Panels and rooflight are unlikely to have an adverse impact on the visual and residential amenity of adjacent properties. However, in re-designing the proposed development to address the previously outlined concerns, the Applicant should be cognisant of the location of PV Panels and rooflight and should ensure any relocation would not increase the potential to adversely impact adjacent properties.

Utilities Wall

The drawings provided by the Applicant indicate the installation of a new 1.8m high utilities wall adjacent to the eastern boundary of the subject site. No elevational drawings of the proposed wall have been provided. In this regard, the Applicant should be requested to provide a detailed Existing and Proposed Boundary Plan and Elevational drawings of any proposed new boundary treatments, including the proposed 1.8m high utilities wall. The Planning Authority is satisfied that this can be provided by way of ADDITIONAL INFORMATION.

Summary

Whilst the Planning Authority do not oppose the principle of a residential extension at the subject site, a number of concerns are outlined above in relation to the potential for the proposal to adversely impact on the visual and residential amenity of adjacent properties and the surrounding receiving context. In this regard, the Applicant should be requested, by way of ADDITIONAL INFORMATION, to re-design the proposed development to address the concerns set out above.

Services, Drainage and the Environment

Irish Water have reviewed the proposed development and have indicated no objection, subject to conditions.

The Drainage and Water Services Department have reviewed the proposed development and have requested the following ADDITIONAL INFORMATION:

- There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is required to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
- The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

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- (i) At least 5m from any building, public sewer, road boundary or structure.
 - (i) Generally, not within 3m of the boundary of the adjoining property.
 - (ii) Not in such a position that the ground below foundations is likely to be adversely affected.
 - (iii) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
 - (iv) Soakaways must include an overflow connection to the surface water drainage network.
- Should a soakaway prove not to be feasible, then the applicant shall submit the following:
 - (a) Soil percolation test results demonstrating a soakaway is not feasible
 - (a) A revised surface water layout drainage drawing for the development showing the inclusion of the following SuDS (Sustainable Drainage Systems) features:
 - Green roofs;
 - Rain Gardens;
 - Rain Planter boxes; and
 - Water butts.

Having regard to the Report of the Drainage and Water Services Department, the Planning Authority considers it pertinent to request ADDITIONAL INFORMATION from the Applicant to facilitate a complete assessment of the proposed development.

Screening for Appropriate Assessment

Having regard to the scale and nature of the development, connection to public services and the distance from Natura 2000 sites, it is considered that the proposed 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 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 proposed development.

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Conclusion:

The Planning Authority generally accepts the principle of the proposed development at the subject site. However, having regard to the content of the South Dublin County Development Plan 2016-2022 and the South Dublin House Extension Design Guide (2010), the Planning Authority has significant concerns regarding the potential for the proposed development to impact on the visual and residential amenity of adjacent properties and the surrounding streetscape. The Planning Authority considers the Applicant should be offered the opportunity to re-design the proposed development to ensure adherence to the relevant policies and objectives and the protection of the residential and visual amenity of adjacent properties. This can be achieved by way of a request for ADDITIONAL INFORMATION. Furthermore, the Drainage and Water Services Department have indicated that ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development.

Recommendation

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

1. The applicant is requested to clarify the following:
 - (i) The discrepancy in the figures quoted in response to Question 11 on the Application Form and annotated on the Proposed Ground and First Floor Plans. If necessary, the Applicant should provide either a corrected Application Form or amended Proposed Ground Floor Plan.
 - (i) The intended use of the flat roof to the single storey extension in the north western corner of the dwelling. It is noted that the drawings appear to indicate a 1.8m translucent glass privacy screen to the flat roof, however no mention is made in the Statutory Notices or accompanying documentation to the use of this roof as an outdoor amenity space.
1. The applicant is requested to re-design the proposed development to ensure adherence with the South Dublin County Development Plan 2016-2022 and the House Extension Design Guide (2010) as follows:
 - (i) The height of the proposed single storey extension abutting the eastern boundary should either be reduced to match the height of the existing garage or alternatively the Applicant should consider setting back the structure at least 1m from the adjoining boundary to ensure compliance with the House Extension Design Guide.

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- (i) Re-design the 2 storey extension to ensure compliance with the House Extension Design Guide, specifically the 'separation distance of approximately 1m from a side boundary per 3m of height'.
 - (ii) Re-design the flat roof profile of the 2 storey extension to match the roof shape, slope and profile of the existing house or provide a detailed Design Statement which outlines a strong architectural rationale for the flat roof design.
 - (iii) Provide a detailed Existing and Proposed Landscape and Boundary Plan, Elevational and Sectional drawings of any proposed new boundary treatments, including the proposed 1.8m high utilities wall.
2. The following additional information is required by the Drainage and Water Services Department:
- (i) A report showing site specific soa revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. il percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
 - (ii) A revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
 - (a) At least 5m from any building, public sewer, road boundary or structure.
 - (b) Generally, not within 3m of the boundary of the adjoining property.
 - (c) Not in such a position that the ground below foundations is likely to be adversely affected.
 - (d) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
 - (e) Soakaways must include an overflow connection to the surface water drainage network.
 - (iii) Should a soakaway prove not to be feasible, then the applicant shall submit the following:
 - (a) Soil percolation test results demonstrating a soakaway is not feasible

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(a) A revised surface water layout drainage drawing for the development showing the inclusion of the following SuDS (Sustainable Drainage Systems) features:

- Green roofs;
- Rain Gardens;
- Rain Planter boxes; and
- Water butts

Additional Information

Additional Information was requested on 1st March 2022.

Additional Information was received on 1st April 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 1st April 2022:

- Cover Letter prepared by Aranzazu Lera Anton Architect dated 31st March 2022.
- Design Statement prepared by Aranzazu Lera Anton Architect dated 31st March 2022.
- Proposed Ground Floor Drawing prepared by Aranzazu Lera Anton Architect
- Proposed First Floor and Roof Plans Drawing prepared by Aranzazu Lera Anton Architect.
- Existing Landscape and Boundary Plan Drawing prepared by Aranzazu Lera Anton Architect
- Proposed Site Plan Drawing prepared by Aranzazu Lera Anton Architect
- Existing East and West Elevations Drawing prepared by Aranzazu Lera Anton Architect
- Proposed Elevations Drawing prepared by Aranzazu Lera Anton Architect

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- Proposed Side Elevations (East and West) Drawing prepared by Aranzazu Lera Anton Architect
- Existing and Proposed Contiguous Elevations 1/2 Drawing prepared by Aranzazu Lera Anton Architect
- Existing and Proposed Contiguous Elevations 2/2 Drawing prepared by Aranzazu Lera Anton Architect
- Existing and Proposed Longitudinal Sections A-A Drawing prepared by Aranzazu Lera Anton Architect
- Existing and Proposed Longitudinal Sections B-B Drawing prepared by Aranzazu Lera Anton Architect
- Existing and Proposed Longitudinal Sections C-C Drawing prepared by Aranzazu Lera Anton Architect
- Plans and Elevations of Proposed Utilities Wall Drawing prepared by Aranzazu Lera Anton Architect
- Engineering Report prepared by RS Consulting Engineers
- Surface Water Drainage Layout Drawing prepared by RS Consulting Engineers

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 1st March 2022:

Additional Information Item No. 1

The Applicant has revised the documents pertaining to this Planning Application to address Additional Information Item No. 1 as follows:

- i) The floors areas quoted in the Application Form and the demonstrated on the accompanying drawings have been adjusted to address the previous discrepancy.
- i) The Applicant has indicated that the flat roof to the single-storey extension has been adopted to allow the creation of west-facing openings to the bedroom. It is stated that the translucent screen has been added to prevent overlooking No. 15 Rathfarnham Park. The rationale outlined by the Applicant in the Cover Letter and accompanying Design Statement is accepted by the Planning Authority. However, a CONDITION

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should be added to prevent the use of the flat roofed area as an outdoor amenity space.

It is considered that Additional Information Item No. 1 has been satisfactorily addressed.

Additional Information Item No. 2

The Applicant has provided revised the design of the proposed development to address Additional Information Item No. 2 as follows:

- (i) The proposed single-storey extension adjacent to the eastern boundary has been re-designed to increase the separation distance. However, it is noted that in re-designing the proposal, the single-storey element has now been replaced with a 2 storey extension running the length of the eastern elevation of the existing dwelling which would include six new side (east) facing windows. The newly proposed 2 storey extension projects approximately 1.5m out from the eastern elevation of the existing dwelling, running to a length of approximately 15.06m and rising to a parapet height of approximately 6.13m.

The re-designed proposal provides a separation distance ranging from 1m to 1.3m to the party boundary with the property to the east. In relation to the potential for overbearance, the South Dublin House Extension Design Guide states that Applicants should:

'Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved'.

It is acknowledged that Additional Information Item No. 2(i) stated that the Applicant should either *'reduce the height of the single storey structure to match the height of the existing garage or alternatively the Applicant should consider setting back the structure at least 1m from the adjoining boundary to ensure compliance with the House Extension Design Guide'*. However, this was based on an assumption that the design would remain single storey in height in this location. Considering the newly proposed two storey extension with a parapet height of approximately 6.13m and a separation distance ranging from 1m to 1.3m, the re-designed proposal does not adhere to the content of the South Dublin House Extension Design Guide, and has the potential to significantly increase overlooking and overbearing impacts on the neighbouring properties. In this regard, the Applicant should be afforded a final opportunity to re-design the proposal to ensure adequate protection of residential amenity.

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- (i) As indicated above, the revised design of the proposed development does not adhere to the content of the South Dublin House Extension Design Guide (2010).
- (ii) The roof profile of the proposed 2 storey extension has been re-designed to match the roof shape, slope and profile of the existing dwelling. This is acceptable to the Planning Authority.
- (iii) The Applicant has provided detailed existing and proposed landscape and boundary plans, along with a drawing showing the details of the proposed 1.8m high utilities wall.

The proposed landscape and boundary plan is acceptable to the Planning Authority.

Having regard to the above, Additional Information Item No. 2 is deemed to have not been satisfactorily addressed and CLARIFICATION OF ADDITIONAL INFORMATION should be sought from the Applicant.

Additional Information Item No. 3

In responding to Additional Information Item No. 3, the Applicant has provided an Engineering Report and Surface Water Drainage Layout Drawings prepared by RS Consulting Engineers.

The Drainage and Water Services Department and Irish Water have assessed the revised proposal and have indicated, no objection subject to conditions.

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

Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2016-2022 and the South Dublin County House Extension Design Guide (2010), some concerns remain regarding the potential for the proposed development to have an overbearing impact on adjacent properties. In particular, the Planning Authority is concerned that the proposed 2 storey side extension will adversely impact on residential amenity given the pattern of development and building line.

In this regard, the Applicant should be afforded a further opportunity to revise the design of the proposed development by way of a request for CLARIFICATION OF ADDITIONAL INFORMATION.

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Recommendation

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

1. The applicant is requested to re-design the proposed development to ensure adherence with the South Dublin County Development Plan 2016-2022 and the House Extension Design Guide (2010). In particular, the applicant is requested to re-design the 2 storey element of the proposal to the side of the existing house to protect the amenity of the adjoining property in the context of the building line and pattern of development. The first floor level should be set back a minimum of 2m from the adjoining boundary for the extent of the original two storey house footprint. In re-designing the proposed development, the applicant is requested to provide a complete set of amended site layout, plan, elevational and sectional drawings to accurately reflected the amendments to the proposed development and include the boundary with adjoining properties and the main existing structures on these properties to facilitate a complete assessment of the proposal and its potential impact on the visual and residential amenities of the surrounding receiving context and streetscape.

Clarification of Additional Information

Clarification of Additional Information was requested on 28th April 2022.

Additional Information was received on 4th May 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 4th May 2022:

- Cover Letter prepared by Aranzazu Lera Anton Architect dated 3rd May 2022.
- Drawing No. 3.1_103 Rev C - Proposed Ground Floor Plan.
- Drawing No. 3.1_104 Rev C – Proposed First Floor and Roof Plans.
- Drawing No. 3.1_105 Rev C - Proposed Site Plan.

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- Drawing No. 3.1_110 Rev B – Existing Landscape and Boundary Plan.
- Drawing No. 3.1_111 Rev B – Existing Landscape and Boundary Plan.
- Drawing No. 3.1_113 Rev B – Proposed Landscape and Boundary Plan.
- Drawing No. 3.1_201 Rev C – Existing Elevations
- Drawing No. 3.1_202 Rev C – Existing East and West Elevations.
- Drawing No. 3.1_203 Rev C – Proposed Elevations.
- Drawing No. 3.1_204 Rev C – Proposed Side Elevations (East and West)
- Drawing No. 3.1_205 Rev C – Existing and Proposed Contiguous Elevations 1/1.
- Drawing No. 3.1_206 Rev C – Existing and Proposed Contiguous Elevations 2/2
- Drawing No. 3.1_301 Rev C – Existing and Proposed Longitudinal Sections (A-A)
- Drawing No. 3.1_303 Rev B – Existing and Proposed Longitudinal Sections (B-B)
- Drawing No. 3.1_304 Rev B – Existing and Proposed Longitudinal Sections (C-C)
- Drawing No. 3.1_701 Rev B – Plans and Elevations of Proposed Utilities Wall.

The Additional Information provided by the Applicant will be assessed below in the context of the 1 No. item of Clarification of Additional Information requested by the Planning Authority on 28th April 2022:

Clarification of Additional Information Item No. 1

The Applicant has re-designed the proposed development, with the following key amendments noted:

- The 2 No. storey element to the eastern side of the existing house has been omitted.
- The proposal now includes the retention of the existing garage and its conversion into a playroom/office, toilet and store.
- The width of the rear extension has been reduced from 9.1m to approximately 8.8m at ground floor level and 7.38m at first floor level.

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- The flat roof portion of the rear extension in the north western corner has been omitted and has been replaced by additional floor area at first floor level.

The Planning Authority welcomes the omission of the two storey extension to the eastern side of the dwelling as the previous proposal did not adhere to the content of the South Dublin House Extension Design Guide. It is considered that the proposal outlined in the drawings received on 4th May 2022 has addressed the previously outlined concerns in relation to the proposed development. However, a concern remains along the eastern boundary, having regard to the content of the South Dublin House Extension Design Guide and the proposed height of the proposed part 1 No. to part 2 No. storey extension to the rear of the existing dwelling. In particular the following content of the House Extension Design Guide is of note:

'Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved'.

As noted on the amended drawings provided by the Applicant, the proposed development along the eastern boundary has an eaves height of approximately 3.49m for the single storey element and the 2 No. storey element having an approximate eaves height of 6.1m. However, the separation distance to the party boundary in these areas ranges from 1m at ground floor level to approximately 2.5m at first floor level. In this regard, the proposal does not adhere to the content of the South Dublin House Extension Design Guide. However, considering the proposed extension would not project past the rear building line of the adjoining properties, this deviation from the House Extension Design Guide is considered acceptable in this instance.

Other Considerations

Development Contributions	
Building Use Type Proposed	Floor Area (sq.m)
Residential – Extension	81.3 sq m
Previous Extension	0 sq m
Assessable Area	41.3 sq m

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – Extension	81.3 sq m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.052 Ha

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Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2016-2022 and the South Dublin County House Extension Design Guide (2010), the Additional Information and Clarification of Additional Information provided by the Applicant, it is considered that, subject to conditions, the proposed development generally adheres to the key policies, objectives and guidance of the Development Plan and House Extension Design Guide and would not be contrary to the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 1st April 2022, Clarification of Further Information received on 4th May 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. External Finishes.
All external finishes shall harmonise in colour and texture with the adjoining dwelling at St Kevin's No. 17 Rathfarnham Park, Rathfarnham, Dublin 14.
REASON: In the interest of visual amenity.
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,

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

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

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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. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €4,315.44 (four thousand three hundred and fifteen euros and forty four cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The 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.

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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.

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REG. REF. SD22B/0002

LOCATION: St. Kevins, 17, Rathfarnham Park, Rathfarnham, Dublin 14.

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:

31/5/22


Eoin Burke, Senior Planner