

# Comhairle Chontae Atha Cliath Theas

**PR/0758/22**

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

**Reg. Reference:** SD21B/0496      **Application Date:** 20-Sep-2021  
**Submission Type:** Additional      **Registration Date:** 20-May-2022  
Information

**Correspondence Name and Address:** Sadhbh O' Connor 1, Kilmacud Road Upper,  
Dundrum, Dublin 14

**Proposed Development:** Excavation of a basement level (54sq.m) and construction of an extension (151sq.m) to the eastern side of the existing house. The development will accommodate a home theatre at basement level, domestic swimming pool, sauna and gym at ground floor level increasing the area of the dwelling from 373sq.m to 578sq.m; 2 dormer windows at first floor level in lieu of 2 existing 'Velux' windows; internal reconfiguration of ground floor rooms to facilitate the internal connection to the side extension; elevational treatments; modification and replacement of first floor window on the south-west side elevation; upgrading the existing wastewater treatment system including provision of an Ecoflo polishing filter; hard and soft landscaping; changes in levels and all other works above and below ground.

**Location:** 'An Uímh', Slade, Saggart, Co. Dublin

**Applicant Name:** David Thompson

**Application Type:** Permission

(EW)

Site Area: 0.4064 Hectares

Site visit: 09/10/2021

### Site Description:

The site is located in a rural area off the Slade Road (L2005), approximately 800m southwest of Saggart village. The site lies on the eastern side of the Slade Road. The site comprises a rectangular site with an existing dormer style residential property. The property is substantially set back from the public road. The site slopes downwards from road level and provides views over the Slade Valley. The ground level of the site ranges from 153.6mOD at road level to 146.0mOD at the eastern site boundary.

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The character of the surrounding area is rural. The River Camac traverses approximately 70 metres to the east of the site. A 220kV transmission line traverses along the northern site boundary. There are detached dwellings to the north, south and west of the subject site, all accessed by the Slade Road.

### **Proposal:**

Excavation of a basement level (54sq.m) and construction of an extension (151sq.m) to the eastern side of the existing house, increasing the area of the dwelling from 373sq.m to 578sq.m. The development will comprise:

- a home theatre at basement level,
- domestic swimming pool, sauna, and gym at ground floor level
- 2 dormer windows at first floor level in lieu of 2 existing 'Velux' windows;
- internal reconfiguration of ground floor rooms to facilitate the internal connection to the side extension;
- elevational treatments; modification and replacement of first floor window on the south-west side elevation.
- upgrading the existing wastewater treatment system including provision of an Ecoflo polishing filter;
- hard and soft landscaping; changes in levels and all other works above and below ground.

### **Zoning:**

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

### **Consultations:**

Surface Water Drainage –	Additional Information required
Irish Water –	No report received at time of writing (Refer to EHO)
EHO –	No objections subject to conditions.
Heritage Officer –	No report received at time of writing
Pollution Control -	No report received at time of writing

### **SEA Sensitivity Screening**

The subject site is identified in the SEA monitoring system as overlapping with the following layers:

- Rural area 2016

### **Submissions/Observations /Representations**

None recorded.

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### **Relevant Planning History**

**SD19A/0163** – **Refuse Permission** for construction of a private indoor swimming pool and ancillary accommodation in a separate single storey 223sq.m building adjacent to house; all associated and ancillary ground and site works. Permission was refused for five reasons (discussed within the assessment of this report).

**SD16B/0201** **Grant Permission and Grant Retention** permission for first floor accommodation of circa 141sq.m in attic space as granted permission and constructed under Reg. Ref. S95A/0186, associated alterations to all elevations, vehicular entrance location and all associated site works. Permission is sought for 2 front extensions to dormer dwelling, alterations to all elevations, foul water to existing on site treatment system and surface water to soakaways and all associated site works.

**S95A/0186** **Grant Permission** for an already approved house and septic tank (S92A/1120) – this permission related primarily to the change of site boundaries.

#### *Condition 5*

*Prior to commencement of development, a legally binding agreement under Section 38 of the Local Government (Planning and Development) Act, 1963, restricting the land outlined in blue and red on the map submitted on 10th April 1995, from further development, be submitted to and approved by the Planning Authority, when approved the agreement to be registered as a burden on the property.*

*REASON: In the interest of the proper planning and development of the area.*

#### *Condition 7*

*The house shall be located at a minimum clearance of 16 metres from the centre line of the E.S.B.'s Carrickmines - Dunstown 220 KV line. Applicant to consult directly with E.S.B. in this regard and to submit and agree details with Planning Authority prior to commencement of development. REASON: In the interest of the proper planning and development of the area.*

The following references relate to the subject site however the files nor the planning reports can be traced: S92A/1120, S91A/0528, 90A/1553, 86A/577, and 90A/537

### **Adjacent Sites**

**SD16B/0215** - Slade Road, Saggart, Co. Dublin – Granted Permission for a single storey domestic extension to rear of existing bungalow and internal alterations. The extension works comprise of 70sq.m to include new kitchen/dining area and extended bedroom & ensuite.

### **Relevant Enforcement History**

None found

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### **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 H16 Steep or Varying Topography Sites*

*Policy H20 Management of Single Dwellings in Rural Areas*

*Policy H21 Rural Housing Policies and Local Need Criteria*

*Policy H22 Rural Housing in RU Zone*

*Policy H23 Rural Housing in HA – Dublin Mountains Zone*

*Policy H27 Rural House and Extension Design*

*Section 2.5.5 Rural Housing In HA – Liffey Valley and HA – Dodder Valley*

*Policy H24 Rural Housing in HA – Liffey Valley and Dodder Valley*

*Section 2.5.6 Replacement Rural Dwellings*

*Policy H25 Replacement Dwellings in Rural and High Amenity Areas*

*Section 2.5.7 Rural Dwelling Occupancy*

*Policy H26 Occupancy Condition*

*Section 2.5.8 Rural House & Extension Design*

*Policy H27 Rural House & Extension Design*

*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*

*Policy HCL1 Heritage, Conservation and Landscapes*

*Policy HCL2 Archaeological Heritage*

*Section 9.2.0 Landscapes*

*Policy HCL7 Landscapes*

*Section 8.1.0 Green Infrastructure Network*

*Policy G2 Green Infrastructure Network*

*Section 8.2.0 Watercourses Network*

*Policy G3 Watercourses Network*

*Section 9.2.1 Views and Prospects*

*Table 9.2: Prospects to be Preserved and Protected*

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*Policy HCL8 Views and Prospects*

*Section 9.2.3 Dublin Mountains*

*Policy HCL9 Dublin Mountains*

*Section 9.2.4 Liffey Valley and Dodder Valley*

*Policy HCL10 Liffey Valley and Dodder Valley*

*Section 9.3.0 Natural Heritage Sites*

*Section 9.3.1 Natura 2000 Sites*

*Table 9.3 Natura 2000 Sites*

*Policy HCL12 Natura 2000 Sites*

*Section 9.3.2 Natural Heritage Areas*

*Table 9.4 Proposed Natural Heritage Areas*

*Policy HCL13 Natural Heritage Areas*

*Section 9.3.5 Non-Designated Areas*

*Policy HCL15 Non-Designated Areas*

*Section 9.4.0 Public Rights of Way and Permissive Access Routes*

*Policy HCL16 Public Rights of Way and Permissive Access Routes*

*Section 7.8.1 Casement Aerodrome*

*Policy IE8 Casement Aerodrome*

*Section 7.8.2 Weston Aerodrome*

*Policy IE9 Weston Aerodrome*

*Section 9.7.0 Sites of Geological Interest*

*Table 9.6 County Geological Sites for Protection*

*Policy HCL19 Geological Sites*

*Section 11.7.2 Energy Performance in New Buildings*

*Section 11.8.2 Appropriate Assessment*

*Schedule 1: Record of Monuments and Places*

*Schedule 4: Restricted Areas for Development Glenasmole Bohernabreena*

### **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)*

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*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)*

*Circular SP 5/08 – Conformity with Articles 43 and 56 of European Community Treaty (Freedom of Establishment and Free Movement of Capital) DEHLG September 2008*

### **Assessment**

The main issues for assessment are

- Zoning and Council Policy
- Overcoming Previous Reasons for Refusal
- Rural and Visual Amenity
- Landscape Character Assessment
- Access and Parking
- Environmental Public Health
- Protection of Water
- Services and Drainage
- Screening for Appropriate Assessment
- Environmental Impact Assessment

### ***Zoning and Council Policy***

The application site is zoned objective *RU*, which seeks ‘To protect and improve rural amenity and to provide for the development of agriculture’. The applicant states that the proposal is a private swimming pool and as such, would be assessed as an extension to the existing dwelling.

Residential development that accords with Council policy for development in rural areas is listed as open for consideration under the ‘*RU*’ zoning objective of the application site. Therefore, such proposals may be permitted only if they do not conflict with the policies and objectives of the Development Plan and if they are consistent with the principles of proper planning and sustainable development and relevant Ministerial guidelines. Of specific relevance are Policy H16, Policy H16 Objective 2, Policy H27 and H27 Objective 1. For clarity, these are outlined below:

*Policy H16 - It is the policy of the Council to ensure that development on lands with a steep and/or varying topography is designed and sited to minimise impacts on the natural slope of the site.*

#### *Policy H16 Objective 2*

*To avoid the use of intrusive engineered solutions, such as cut and filled platforms, embankments or retaining walls on sites with steep or varying topography.*

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*Policy H27 - 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.*

*Policy H27 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.*

### ***Overcoming Previous Reasons for Refusal***

A similar type development was refused planning permission in 2019 for five separate reasons. The following is an assessment of these refusal reasons against the current proposal:

#### **Refusal Reason 1**

Insufficient information has been submitted in relation to the backwash water that would be discharged after dichlorination via an attenuation tank to the domestic wastewater treatment system including failure to provide rates of discharge, control measures and location of the referenced attenuation tank onsite. In addition to the swimming pool, the proposal would incorporate additional new toilets (3 no. cubicles, 2 no. urinals and 4 no. wash hand basins). The applicant has not provided any supporting documentation on the existing wastewater treatment

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system or demonstrated that the proposal which would result in additional loading on the wastewater treatment system would comply with Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009) or other superseding standards. This is significant having regard to the rural location of the site, and the proximity of the site to the River Camac. Having regard to the deficiency in information provided, it is considered that the proposed development would contravene Council policy H27 Objective 1 of the South Dublin County Development Plan 2016-2022 and would be prejudicial to public health and constitute an unacceptable risk of water pollution.

### Assessment

The applicant has submitted an Engineering Services Report from *Brunner Consulting Engineers* dated 13<sup>th</sup> September 2021.

The proposed development is different in that it has been slightly reduced in scale and will be located to the east (rear of the property) and not to the west as was previously proposed. The proposed floor area will total approximately 200sqm, which remains significant and substantial.

The Engineering report, received with the application, states that the backwashing of the pool is carried out every 2 weeks by an automated process. The back wash discharge volume for the proposed pool is 585 litres. The contaminated backwashed water is dechlorinated and stored in an attenuation tank of 1000L capacity and a 1-30 year storm event with 20% allowance for climate change.

The Water Drainage Department has raised concerns that the information received with this application is unclear and does not provide enough information to support the management of backwashing discharge. The Water Drainage Department has requested additional information. In this regard the first reason for refusal does not appear to have been fully addressed. The applicant should be offered an opportunity to address the above concerns.

It is noted that the EHO Department states no objections subject to the following on Wastewater Treatment:

In summary, having regard to the overall concerns of the Water Drainage Department it is considered that the applicant should be requested to address items of concern raised by **Additional Information** in order to overcome previous reasons for refusal under Reason 1

### **Refusal Reason 2**

The proposal, involving significant and intrusive cutting of the sloping terrain to accommodate the proposed development (as demonstrated in Drawing No.051) would introduce an incongruous and visually intrusive form of development which would interfere with the rural setting and character of the landscape. Housing Policy H16 Steep or Varying Topography Sites states 'It is the policy of the Council to ensure that development on lands with a steep and/or



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varying topography is designed and sited to minimise impacts on the natural slope of the site.' and Policy H16 Objective 1 is 'To avoid the use of intrusive engineered solutions, such as cut and filled platforms, embankments or retaining walls on sites with steep or varying topography'. The proposed development would interfere with the rural landscape and character of the area and would materially contravene Policy H16 and Policy H16 Objective 1 and would therefore be contrary to the proper planning and development of the area.

### Assessment

The Planning Authority notes that the site layout plan, submitted with this application does not clearly notate the levels/contours of the site. From investigation of the drawings submitted with the previous application's drawings it is clear that the site falls away from the public road to the eastern boundary by approximately 8m and continues to fall into the Camac river valley; this is significant. Aerial mapping indicates that there may be a water body/pond abutting the eastern boundary of the site. Notwithstanding the assertions in the cover report by *Thornton O'Connor Town Planning* dated 20<sup>th</sup> September 2021 that the new proposal is now located to the eastern side of the existing house thus mitigating the need to utilise substantial cut and fill mechanisms to construct the extension, the Planning Authority notes that cut and fill will have to take place to provide not just for the gym/pool structure but also for the basement cinema, the percolation area, Wastewater treatment plant, the backwash attenuation tank and the infiltration trench. Each of these items are located on the eastern slope and in close proximity to the River Camac. The Planning Authority also notes that no mitigation measures have been proposed to the eastern end of the site to lessen the impact of the development at this very sensitive location. It is considered that refusal reason 2 has not yet been overcome. Additional information to be sought.

### **Refusal Reason 3**

The proposed development would contravene South Dublin County Council Development Plan 2016-2022 Policy H27 (Dwellings in Rural Areas) and Policy H27 Objective 1 as the proposal does not accord with the policy and policy objective in that:

- The development is excessive in scale and would adversely impact on the character of the landscape;
- The development requires intrusive engineered solutions and significant cutting into the sloping terrain;
- It is not demonstrated that the proposed development would comply with the Code of Practice Wastewater Treatment Systems Serving Single Houses, EPA (2009)

In addition, the proposal would also interfere with the rural setting and character of the landscape. Within this context, the proposed development would further contravene the 'RU' zoning objective of the application site, which sets out to 'To protect and improve rural amenity and to provide for the development of agriculture' and would therefore be contrary to the proper planning and development of the area.

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### Assessment

The modifications to the proposed development, previously refused, comprises the relocation of the structure to the east of the site, which gives rise to new considerations and concerns. The applicant has stated in the cover report by *Thornton O'Connor Town Planning* that extensive cut and fill engineering measures have been reduced and the new proposal aims to work with the natural topography of the site. This would be welcomed if it can be demonstrated that the required cut and fill is significantly reduced and mitigated. No mitigation measures appear to have formed part of the proposed development. ADDITIONAL INFORMATION.

### **Refusal Reason 4**

The proposed development is located in the Athgoe and Saggart Hills landscape area, which has been designated under the South Dublin County Council Development Plan 2016 - 2022 following a Landscape Character Assessment of South Dublin County undertaken in 2015 as an area with a high landscape value and sensitivity and a Landscape Capacity which is negligible to low; meaning that the key characteristics of the landscape are highly vulnerable to development and that development would result in a significant change in landscape character and should be avoided if possible. Any increase in development in this area will have a negative impact on both the landscape value and sensitivity of this area, and would therefore materially contravene the South Dublin County Council Development Plan 2016 - 2022 Policy (HCL7) 'to preserve and enhance the character of the County's landscapes particularly areas that have been deemed to have a medium to high Landscape Value or medium to high Landscape Sensitivity' and would be contrary to the proper planning and sustainable development of the area.

### Assessment

The applicant has stated in the cover report by *Thornton O'Connor Town Planning* that the new views of the extension will not be as visible from the public domain from Slade Road. A palette of high quality materials will also ensure that the domestic extension will assimilate into the receiving context. The applicant has not addressed the increase in development in this area and its likely negative impact on both the landscape value and sensitivity of this area, and its potential to materially contravene the South Dublin County Council Development Plan 2016 - 2022 Policy (HCL7) 'to preserve and enhance the character of the County's landscapes particularly areas that have been deemed to have a medium to high Landscape Value or medium to high Landscape Sensitivity'. Again, the proposed development does not appear to have been mitigated by way of increased planting and landscaping particularly close to the River Camac.

### **Refusal Reason 5**

The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the rural amenities of the area and would be contrary to the proper planning and sustainable development of the area.

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### Assessment

The applicant has not yet demonstrated that the proposed development would not set an undesirable precedent. ADDITIONAL INFORMATION.

### Basement Home Theatre

Housing policy H16 Steep or Varying Topography Sites states '*It is the policy of the Council to ensure that development on lands with a steep and/or varying topography is designed and sited to minimise impacts on the natural slope of the site.*' While the proposed structure is set into the slope to minimise the impact visually from the east, significant cutting into the existing slope would be required to facilitate the basement home theatre room. Drawing no.200 demonstrates that a depth of 3.1 meters cut would be required in a 39.97sq.m space.

This would not accord with Policy H16 Objective 1 which is '*To avoid the use of intrusive engineered solutions, such as cut and filled platforms, embankments or retaining walls on sites with steep or varying topography*'. The Planning Authority has concerns regarding this element of the design proposal and it is not considered that the excavation of a basement level (54sq.m) would accord with the zoning objective 'RU' 'to protect and improve Rural Amenity and to provide for the development of Agriculture' by virtue of the intrusive engineering requirement to cut into the slope to facilitate the basement theatre and associated works. The proposal has not been designed to circumvent the need for intrusive engineered solutions, as evidenced by the 3.1 metre deep excavation required.

The applicant has failed to demonstrate that the proposed development would accord with Policy H27 Objective 1 in that -

- It requires intrusive engineered solutions and significant cutting into the sloping terrain;

Having regard to the above, it is considered that the proposed development would not accord with the policy zoning RU, would contrive Council Policy H16 Objective 1, and therefore be omitted from the proposal by way of **Additional Information**.

### Two dormer windows at first floor level in lieu of 2 existing 'Velux' windows

The proposed two dormer rear windows are positioned below the ridgeline of the existing dwelling and three tile courses above the eaves of the existing dwelling. The scale/design and window used is considered to be consistent to the recommendations of the Council's House Extension Design Guide in relation to design of dormer extensions and as such, would be in accordance with the proper planning and sustainable development of the area.

### Biodiversity

Having regard to the rural location of the site, and the proximity of the River Camac approximately 70 metres east of the site. The River Camac is an important biodiversity corridor and presents as a significantly important habitat for White Clawed Crayfish, a species listed

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under the EU Habitats Directive. Consequently, protection of the watercourse from pollutants is crucial.

The subject proposal has submitted an Engineering Services Report from *Brunner Consulting Engineers* dated 13<sup>th</sup> September 2021. The report notes that '*the applicant's house is not connected to any public drainage or water supplies, the swimming pool water will be filled, treated and disposed of on site in a controlled fashion*'. The Planning Authority notes that the proposed works are located above an existing water course and having regard to the concerns raised by the Water Services engineers it is considered that Additional Information is required.

Having regard to the previous refusal report SD19A/0163, it was considered that the proposed development would contravene Council policy H27 Objective 1 of the South Dublin County Development Plan 2016-2022 and could be prejudicial to public health and constitute an unacceptable risk of water pollution.

In light of the deficiency in information provided with regards to Biodiversity and the Protection of water, it is considered that the applicant shall be requested by way **Additional Information** to submit the requirements outlined in the *conclusion* to this report.

### Protection of Water

The River Camac is located within 70 metres of the eastern site boundary. It is council policy under Infrastructure and Environmental Quality Policy IE2 *Surface Water and Groundwater* to '*manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.*'

Furthermore, it is the objective under Policy IE2 Objective 9 '*To protect water bodies and watercourses, including rivers, streams, associated undeveloped riparian strips, wetlands, and natural floodplains, within the County from inappropriate development. This will include protection buffers in riverine and wetland areas as appropriate (see also Objective G3 Objective 2 – Biodiversity Protection Zone).*'

In the previous refusal report SD19A/0163A submission was received from Inland Fisheries Ireland (IFI). For clarity, the submission states the following:

*IFI have reviewed the above application and comment as follows*

*The specification for the swimming pool states that the backwash water will discharge after dichlorination via an attenuation tank to the domestic wastewater treatment system (WwTp). From the drawings supplied there was no indication on the location of the attenuation tank, this information is required.*

*It was also stated that the discharge from the attenuation tank would be a slow discharge to the WwTp, what is the rate of the discharge and how is it controlled?*

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*What is likely to be the impact of the discharge both hydraulically and originally from the backwash on the efficiency of the WwTp, these items should be addressed by the application.*

The previous submission from the IFI in 2019 raised serious concerns as to the operation and management of the proposed swimming pool and in light of the deficiency in information provided with regards to Biodiversity and the Protection of water, it is considered that the applicant shall be requested by way **Additional Information** to submit the requirements outlined in the conclusion to this report.

### ***Environmental Public Health***

The proposal was assessed by the HSE Environmental Health Officer, and the stated no objections subject to conditions relating to construction noise, air quality, wastewater treatment:

### ***Screening for Appropriate Assessment***

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not likely require a Stage 2 Appropriate Assessment. However, information pertaining to water services and wastewater, will be sought by way of additional information. The need for environmental impact assessment will be fully assessed once this information has been received.

### ***Environmental Impact Assessment***

Having regard to the nature of the proposed development, and the distance of the site from the River Camac, it is considered that there may be a potential for the development to have an effect on the environment arising from the proposed development. However, information pertaining to water services and wastewater, will be sought by way of additional information. The need for environmental impact assessment will be fully assessed once this information has been received.

Notwithstanding the above, the proposed development of a significantly large extension, with sizeable interventions into the existing landscape to provide ancillary mechanisms for water management, and substantial roof coverage, resurfacing and hard engineering solutions to manage surface water drainage, all in close proximity to the River Camac, which is an established ecological setting and at a location downstream of a pNHA [Slade Valley] with minimal green infrastructure or additional landscaping proposed, will have a significant impact on the short-medium and long term of the immediate environment, the applicant should be requested to submit:

- (1) An ecological report for the site. This should include mitigating measures that will support the ecological setting of the River Camac and proposals for significant augmentation of planting and landscaping throughout the site, but specifically to the eastern end of the site.

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- (2) A landscaping plan.
- (3) A Green Infrastructure plan for the proposed development and the site. The proposed development should demonstrate that Green Infrastructural elements such as green walls, green roofs, planted swales amongst other Green Infrastructure items have been considered within the design and layout of the site, specifically to the eastern end of the site.
- (4) Proposals to augment linkages between the site and the Camac River and new ecological areas proposed within the site, as well as augmenting links through the site to connect to other ecological corridors should form part of the overall design. These items would help to strengthen the viability of green pathways through the county and create wider ecological corridors and linkages; as well as deliver climate actions leading to Climate Adaptation and thereby meeting national guidance and targets. (Refer to Chapters 7, 8 and 9 of the current County Development Plan).

To lessen the impact of this disturbance the applicant should submit mitigating proposals within an ecological report and landscaping plan. Proposals and mitigating solutions should include the greening of all infrastructural elements of the design. This is in the interests of protecting/supporting the River Camac, which extends into the Slade Valley pNHA and supporting climate change adaptation, which the Council must address.

### **Planning Note:**

Having regard to the overall impact of the development the applicant shall be requested to submit the following drawings:

- revised site plan showing the finished floor level of existing dwelling and of the proposed extension reflecting the omission of the basement theatre.
- Include spot and contour levels to the east of the site.
- Include any infrastructure east of the site.
- Include tree lined boundaries within the site.
- Include wells and proximity to site.
- Include any other land in ownership of the applicant in blue.

The above drawings are required by **Additional Information** to enable the planning authority to adequately assess the impact of the proposed development on this sensitive rural site.

### ***Development Contributions***

Residential side Extension/Indoor swimming pool at 223.0sq.m.

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<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential – Private indoor swimming pool and ancillary rooms	205.sq.m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Rural	0.4064

### **Conclusion**

Additional Information to be sought.

### **Recommendation**

### **Further Information**

Further Information was requested on 15<sup>th</sup> Nov 2021

Further Information was received on 20<sup>th</sup> May 2022

### **Consultations:**

Surface Water Drainage – No report received at time of writing.

Roads No report received at time of writing.

Parks No objections subject to conditions.

### **Submissions/Observations**

None received for this application.

The Further Information requested is as follows:

1. The Planning Authority has significant concerns regarding the backwashing discharge, especially at this very sensitive location in close proximity to the River Camac. It is unclear how the proposed soakaway has sufficient capacity to manage backwashing discharge from the proposed swimming pool.

The applicant is requested to submit:

(i) a report showing calculations which demonstrates how the soakaway will manage backwash water discharge from the proposed swimming pool and stormwater run off from the proposed roof areas. The report shall also ensure separate calculations are provided for each proposed soakaway. Submitted calculations must be clearly legible in the report.

(ii) a drawing clarifying what areas each proposed soakaway serves on the site.

(iii) a drawing showing additional sustainable Drainage System (SuDS) features for the proposed development such as but not limited to:

- Green sedum roof on proposed extension. (Refer also to other items in this AI request).

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- Permeable Paving in all new hardstanding areas including driveway areas
  - Water butts with overflow to proposed soakaways.
2. Notwithstanding the comments made in the cover report by Thornton O'Connor Town Planning dated 20th September 2021 that the new proposal is now located to the eastern side of the existing house thus mitigating the need to utilise substantial cut and fill mechanisms to construct the extension, the Planning Authority notes that cut and fill will have to take place to provide not just for the gym/pool structure but also for the basement cinema, the percolation area, Wastewater treatment plant, the backwash attenuation tank and the infiltration trench. Each of these items are located on the eastern slope and in close proximity to the River Camac and are considered to be significant in nature. The River Camac, is an established ecological setting and is located a short distance downstream of a pNHA [Slade Valley]. The Planning Authority notes that minimal green infrastructure or additional landscaping has been proposed, that would help mitigate the proposed development in its environmental setting. The development will have a significant impact on the short-medium and long term of the immediate environment, the applicant is therefore requested to submit:
- (1) An ecological report for the site. This should include mitigating measures that will support the ecological setting of the River Camac and proposals for significant augmentation of planting and landscaping throughout the site, but specifically to the eastern end of the site.
  - (2) A landscaping plan.
  - (3) A Green Infrastructure plan for the proposed development and the site. The proposed development should demonstrate that Green Infrastructural elements such as green walls, green roofs, planted swales amongst other Green Infrastructure items have been considered within the design and layout of the site, specifically to the eastern end of the site.
  - (4) Proposals to augment linkages between the site and the Camac River and new ecological areas proposed within the site, as well as augmenting links through the site to connect to other ecological corridors. These items would help to strengthen the viability of green pathways through the county and creating wider ecological corridors and linkages; as well as deliver climate actions leading to Climate Adaptation and thereby meeting national guidance and targets. (Refer to Chapters 7, 8 and 9 of the current County Development Plan).
3. The Planning Authority requires further clarification drawings to adequately assess the impact of the proposed development on this sensitive rural site. The applicant is requested to submit the following drawings:
- (a) revised site plan showing the finished floor level of existing dwelling and of the proposed extension reflecting the omission of the basement theatre.
  - (b) Include spot and contour levels to the east of the site.
  - (c) Include any infrastructure east of the site in cross-sectional form.
  - (d) Include tree lined boundaries within the site.
  - (e) Include wells and proximity to the site.
  - (f) Include any other land in ownership of the applicant in blue.
  - (g) A full east-west cross-section from the existing house to the River Camac.
  - (h) Proposals for the electricity wire/post on the site, which is aligned north/south.



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4. The applicant has failed to demonstrate that the proposed development would accord with Policy H27 Objective 1 as it requires intrusive engineered solutions and significant cutting into the sloping terrain. Having specific regard to the proposed basement theatre, it is considered that the proposed development would not accord with the policy zoning RU, would contrive Council Policy H16 Objective 1 and therefore should be omitted from the proposal. The applicant is requested to submit a full suite of revised plans/elevation/sectional drawings to reflect the omission.

### ***Item 1***

The Planning Authority has significant concerns regarding the backwashing discharge, especially at this very sensitive location in close proximity to the River Camac. It is unclear how the proposed soakaway has sufficient capacity to manage backwashing discharge from the proposed swimming pool.

The applicant is requested to submit:

- (i) a report showing calculations which demonstrates how the soakaway will manage backwash water discharge from the proposed swimming pool and stormwater run off from the proposed roof areas. The report shall also ensure separate calculations are provided for each proposed soakaway. Submitted calculations must be clearly legible in the report.
- (ii) a drawing clarifying what areas each proposed soakaway serves on the site.
- (iii) a drawing showing additional sustainable Drainage System (SuDS) features for the proposed development such as but not limited to:
  - Green sedum roof on proposed extension. (Refer also to other items in this AI request).
  - Permeable Paving in all new hardstanding areas including driveway areas
  - Water butts with overflow to proposed soakaways.

### Assessment

The applicant has submitted a report from *Thornton O'Connor* dated *May 2022*.

In response to the AI request, concerns regarding the backwashing discharge at this susceptible location close to the River Camac. In response, the applicant has redesigned the original proposal stating the following:

- *'The gym/pool structure, the basement cinema, the backwash attenuation tank and the 2 no infiltration trenches to the east of the existing dwelling have all been omitted from the scheme.'*

The revised proposal includes:

- *The proposed extension has been redesigned as a result of the above omission resulting in the reduction in floor areas from 205.6sqm to 186.3sqm.*
- *Elevation changes include the insertion of 2 No. dormer windows on the rear or south east elevation remain as proposed and unchanged from Planning Application stage. An additional dormer window is proposed in the newly constructed element of the proposal on the south east elevation, with a new double height projection which accommodates a*

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*feature round window at first floor level also proposed on the north west elevation.  
Glazing is proposed at the new north east elevation.*

- *The extension is now revised to a fully pitched roof design.*

(i) The proposed swimming pool has been omitted from the proposal. Therefore, it has not been included in the submitted calculations that the applicant has now submitted by Engineering Planning Report prepared by *Brunner Consulting Engineers*.

(ii) The applicant has submitted Drawing No. *T23-P-002* in the appendix of the Engineering Planning Report prepared by *Brunner Consulting Engineers* to clarify what areas each proposed soakaway serves on the site.

(iii) Due to the changes to the design of the proposed house, the applicant states the following regarding the sustainable Drainage System (SuDS) features for the proposed development:

- The proposed roof is now pitched, and the green sedum roof cannot be provided
- The small patio area will receive Permeable Paving, and no new hardstanding areas are proposed in the driveway.
- Water butts are provided at downpipes with overflow to soakaways as per drawing No. *T23-P-002* in the appendix of the Engineering Planning Report prepared by *Brunner Consulting Engineers*.

A report was not received from the Surface Water Drainage Department; however, the applicant will be **condition** as per the Parks Department report regarding SUDs Drainage. It is deemed that Item 1 is now considered acceptable.

### **Item 2**

Notwithstanding the comments made in the cover report by Thornton O'Connor Town Planning dated 20th September 2021 that the new proposal is now located to the eastern side of the existing house thus mitigating the need to utilise substantial cut and fill mechanisms to construct the extension, the Planning Authority notes that cut and fill will have to take place to provide not just for the gym/pool structure but also for the basement cinema, the percolation area, Wastewater treatment plant, the backwash attenuation tank and the infiltration trench. Each of these items are located on the eastern slope and in close proximity to the River Camac and are considered to be significant in nature. The River Camac, is an established ecological setting and is located a short distance downstream of a pNHA [Slade Valley]. The Planning Authority notes that minimal green infrastructure or additional landscaping has been proposed, that would help mitigate the proposed development in its environmental setting. The development will have a significant impact on the short-medium and long term of the immediate environment, the applicant is therefore requested to submit:

- (1) An ecological report for the site. This should include mitigating measures that will support the ecological setting of the River Camac and proposals for significant augmentation of planting and landscaping throughout the site, but specifically to the eastern end of the site.
- (2) A landscaping plan.
- (3) A Green Infrastructure plan for the proposed development and the site. The proposed development should demonstrate that Green Infrastructural elements such as green walls, green

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roofs, planted swales amongst other Green Infrastructure items have been considered within the design and layout of the site, specifically to the eastern end of the site.

(4) Proposals to augment linkages between the site and the Camac River and new ecological areas proposed within the site, as well as augmenting links through the site to connect to other ecological corridors. These items would help to strengthen the viability of green pathways through the county and creating wider ecological corridors and linkages; as well as deliver climate actions leading to Climate Adaptation and thereby meeting national guidance and targets. (Refer to Chapters 7, 8 and 9 of the current County Development Plan).

### Assessment

The applicant notes the following as per the submitted report from *Thornton O'Connor* dated *May 2022*:

*Due to the concerns expressed by the Planning Authority regarding development to the east of the site, the gym/pool structure, the basement cinema, the backwash attenuation tank, the 2 No. Infiltration trenches (replaced by 1 No. infiltration trench to the west of the dwelling) have all been omitted from the scheme.*

*The additional percolation area and upgraded wastewater treatment plant proposed at Planning Application state are also no longer proposed due to the omission of the pool, basement, and backwash attenuation tank.*

*The existing percolation area and treatment unit will be retained to the east of the dwelling, to serve the existing dwelling as no new additional bedrooms are proposed.*

*This means no works are proposed to the east of the dwelling, proximate to the River Camac, aside from the proposed extension where substantial cut and fill mechanisms are not required for construction.*

(2) As outlined above, a landscaping plan was not submitted. However, the applicant shall be requested by **condition** to submitting a landscape plan prior to the commencement of development as per the requirements of the Parks Department.

(3) As outlined above, a Green Infrastructure plan regarding green walls and green roofs is not feasible with the revised pitched roof proposal. This is acceptable; however, planted swales amongst other Green Infrastructure items shall be requested by condition.

(4) As outlined above, an ecological plan was not submitted, however as the revised design remains link through the site to connect to other ecological corridors and augment linkages between the site and the Camac River, a **condition** shall be attached with the Parks Department.

The applicant notes some two infiltration trenches were proposed to the east of the existing dwelling at the Planning Application Stage. However, as part of the Response to Request for Further Information, only one infiltration trenches is proposed west of the existing dwelling. This Infiltration trench will accommodate surface water from the roof area of the proposed extension.

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Subject to the above conditions by the Parks Department, the applicant has broadly addressed the requirements of Item 2; this is now considered acceptable.

### ***Item 3***

The Planning Authority requires further clarification drawings to adequately assess the impact of the proposed development on this sensitive rural site.

The applicant is requested to submit the following drawings:

- (a) revised site plan showing the finished floor level of existing dwelling and of the proposed extension reflecting the omission of the basement theatre.
- (b) Include spot and contour levels to the east of the site.
- (c) Include any infrastructure east of the site in cross-sectional form.
- (d) Include tree lined boundaries within the site.
- (e) Include wells and proximity to the site.
- (f) Include any other land in ownership of the applicant in blue.
- (g) A full east-west cross-section from the existing house to the River Camac.
- (h) Proposals for the electricity wire/post on the site, which is aligned north/south

### **Assessment**

Noting the omission of the gym/pool and theatre the proposed extension has been redesigned, resulting in the reduction in floor areas from 205.6sqm to 186.3sqm a report from *Thornton O'Connor* dated *May 2022*; the following is noted:

- (a) The applicant has submitted a site *location map & general site plan* under drawing no *21.09 100*, reflecting the omission of the basement theatre
- (b) Spot and contour levels to the east of the site are shown on the '*site location map & general site plan* under drawing no *21.09 100*.
- (c) The applicant has submitted cross-sectional drawings in the 'Contiguous Elevations & 3D Views' drawing no *21.09 201* for infrastructure to the east of the site.
- (d) The applicant has submitted a site *location map & general site plan* under drawing no *21.09 100* for Tree-lined boundaries.
- (e) No wells are proximate to the site
- (f) The applicant states that no other land is within the applicant's ownership.
- (g) The applicant has submitted cross-sectional drawings in the 'Contiguous Elevations & 3D Views' drawing no *21.09 201* for a complete east-west cross-section.
- (h) The applicant has submitted a site *location map & general site plan* under drawing no *21.09 100*, reflecting the location of the electric wire and posts.

The applicant has addressed the requirements of Item 3; this is now considered acceptable.

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### *Item 4*

The applicant has failed to demonstrate that the proposed development would accord with Policy H27 Objective 1 as it requires intrusive engineered solutions and significant cutting into the sloping terrain. Having specific regard to the proposed basement theatre, it is considered that the proposed development would not accord with the policy zoning RU, would contrive Council Policy H16 Objective 1 and therefore should be omitted from the proposal. The applicant is requested to submit a full suite of revised plans/elevation/sectional drawings to reflect the omission.

### Assessment

In response, the applicant has redesigned the original proposal stating the following:

- *'To address the concerns of the Planning Authority, the basement theatre element of the proposal has been omitted from the scheme.*

The planning authority notes that the proposed development would no longer accord with Policy H27 Objective 1 as the omitted basement theatre no longer requires intrusive engineered solutions and significant cutting into the sloping terrain; the above is noted and considered acceptable.

The applicant has addressed the requirements of Item 4; this is now considered acceptable.

### Parks and Landscape

The Parks Report states the following: In general terms the Public Realm Section has no objections in principle to the proposed development, but wish to make the following comments:

#### Landscape Plan

A landscape scheme shall be provided as part of the development proposals which helps to integrate the development into the local landscape and through suitable boundary planting provides visual screening, mitigation of negative visual effects and which improves local biodiversity and green infrastructure links. The Landscape Plan should be prepared by a suitably qualified landscape consultant/designer. The landscape Plan shall include details of hard and soft landscaping, in addition the applicant is requested to submit a fully detailed Planting Plan for the development.

#### Suds

There is a lack of SuDS (Sustainable Drainage Systems) shown for the proposed development. Natural SUDS features shall be incorporated into the proposed drainage system. The SUDS shall be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022.

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The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:

### **1. Landscape Plan**

Prior to the commencement of Development, a landscape plan and associated planting plan shall be submitted to the Planning Authority. The Landscape Plan shall include details of hard and soft landscaping. The Landscape Plan shall be implemented in full, within the first planting season following completion of the development. The Landscape Plan to include a detailed Planting Plan and Planting Schedule stating species/varieties, indicative quantities, sizes, rootball presentation and spacings. Planting mixes should contain pollinator-friendly native species (in accordance with the All-Ireland Pollinator Plan 2015-2020). In addition, the applicant shall provide the following information:

- a) The proposed landscape plan should demonstrate how existing green infrastructure will be incorporated into the overall design.
- a) A boundary treatment plan. Appropriate boundary treatments, incorporating quality features from the existing boundary treatments, should be submitted. All proposed boundary treatments should reflect the important context of the site.

### **2. Sustainable Drainage System (SuDS)**

The applicant has proposed limited SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant shall submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development. Sample SuDS devices include green roofs, water butts, tree pits, rain gardens, filter strips and permeable paving amongst others. The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

The requests of the Parks Department are noted and shall be requested by **condition** as per above.

### Conclusion

The Planning Authority considers that the revised proposal is now consistent with the requirements of the existing County Development Plan 2016-2022 and the guidance set out in the South Dublin County Council House Extension Design Guide (2010) in respect of rear extensions. Therefore, the proposed design is deemed to be acceptable. Accordingly, a grant of planning permission is recommended.

### ***Development Contributions***

Residential Rear Extension: 186.3sq.m  
Assessable area: 146.3 sq.m

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<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential Rear Extension.	<i>186.3sqm</i>
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Rural	0.4064

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development proposed it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposed extension would be in compliance with Council policy in relation to extensions to dwelling houses.

### **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 20th 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.

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### 2. Drainage - Surface Water.

The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section.

(a) 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.

(b) 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, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

### 3. Landscape Plan

Prior to the commencement of Development, a landscape plan and associated planting plan shall be submitted to the Planning Authority. The Landscape Plan shall include details of hard and soft landscaping. The Landscape Plan shall be implemented in full, within the first planting season following completion of the development. The Landscape Plan to include a detailed Planting Plan and Planting Schedule stating species/varieties, indicative quantities, sizes, rootball presentation and spacings. Planting mixes should contain pollinator-friendly native species (in accordance with the All-Ireland Pollinator Plan 2015-2020). In addition, the applicant shall provide the following information:

a) The proposed landscape plan should demonstrate how existing green infrastructure will be incorporated into the overall design.

b) A boundary treatment plan. Appropriate boundary treatments, incorporating quality features from the existing boundary treatments, should be submitted. All proposed boundary treatments should reflect the important context of the site.

REASON: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022.

### 4. (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.



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(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

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

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

(d) Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to 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.

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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.

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €15,286.89 (fifteen thousand two hundred and eighty six euros and eighty nine 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: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

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**REG. REF. SD21B/0496**

**LOCATION: 'An Uímh', Slade, Saggart, 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:**

16/6/22

*Eoin Burke*

Eoin Burke, Senior Planner