

Comhairle Chontae Atha Cliath Theas

PR/0769/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0025 **Application Date:** 24-Jan-2022
Submission Type: Additional **Registration Date:** 26-May-2022
Information

Correspondence Name and Address: Liam Baker 19, Arnaleigh Gardens, Rathfarnham, Dublin 14.

Proposed Development: Single and 2 storey extension to the rear; new front porch; demolition of the existing shed to the rear.

Location: 13, Ballyboden Crescent, Dublin 16

Applicant Name: Alan Steedman

Application Type: Permission

(CS)

Description of Site and Surroundings:

Site Area: 0.0321 Hectares as stated per application.

Site Description:

This site contains a two storey, mid-terrace dwelling with a pitched roof profile and with a relatively long rear garden which is not overlooked. Both the front and the rear of the dwelling faces on to public open space. There is a shed to the rear that is attached to and abuts the neighbouring shed of No.12 Ballyboden Crescent. The streetscape in the immediate vicinity of the dwelling is characterised by dwellings of similar form and appearance with a mainly uniform building line.

Proposal:

The application for permission comprises of the following:

- Demolition of existing rear shed (c.10sq.m.).
- Single storey rear extension.
- First floor rear extension.
- New front porch.
- Proposed works measure c.58sq.m.

Zoning:

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

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Consultations:

Surface Water Drainage – **Additional Information** recommended.

Irish Water – **Additional Information** recommended.

SEA Sensitivity Screening

No overlap identified with SEA screening tool layers.

Submissions/Observations /Representations

None.

Relevant Planning History

None recorded for subject site.

Adjacent sites

SD13B/0050: 16, Ballyboden Crescent, Rathfarnham, Dublin 16.

Two storey and single storey extension to existing two storey house including partial demolition of existing single storey porch and all ancillary site works.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History

None recorded for the subject site.

Pre-Planning Consultation

None.

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 2:

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

Section 2.5.8 Rural House & Extension Design

Policy H27 Rural House & Extension Design

Section 11.2.7 Building Height

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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 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

South Dublin County Council House Extension Design Guide (2010)

Relevant Government Guidelines

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

Quality Housing for Sustainable Communities-Best Practice Guidelines, Department Environment, Heritage, and Local Government, (2007).

Assessment

The main issues for the assessment are:

- Zoning and Council Policy
- Residential & Visual Amenity
- Services and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

The site is located in an area that is zoned 'RES' 'to protect and/or improve residential amenity.' A residential extension is permitted in principle subject to its accordance with the relevant provisions in the Development Plan with specific reference to Section 11.3.3 (i) which relates to Extensions.

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Residential and Visual Amenity

Demolition of shed (10sq.m.)

The shed to the rear is attached to and abuts the neighbouring shed of No.12 Ballyboden Crescent. It is proposed to demolish this shed to provide space for the proposal to be constructed. This demolition would be considered to be broadly acceptable in this instance.

Single storey rear extension with 1 no. roof light

The extension will project outwards from the main rear building line by c.6.0m and will be built to the boundary with immediate neighbours to the north (No. 12) and to the south (No. 14). It will span a width of c.7.596m and will have a flat parapet roof with a parapet height of c.3.0m. The length of projection of the extension at 6m would slightly exceed the existing length of the existing dwelling which is c.5.0m. However, the 3.0m parapet height is not considered to be excessive and the extension is not considered to have a significant adverse impact on residential and visual amenity in this instance. As the rear garden is relatively long a reasonable level of private open space will remain post completion.

First floor extension

The extension will provide for an additional bedroom. It will be built to the boundary with the immediate neighbour to the south (No.14). It will project outwards from the main rear building line by approximately 3.5m (as measured) and will span a width of c.5.187m. It will have a flat parapet roof with a parapet height of c.6.0m measured externally from ground level. The parapet roof will project slightly beyond the eaves height of the existing dwelling however it is considered to visually accord with the character of the area.

The proposed first floor extension would be flush with the property boundary with No. 14. This is contrary to the recommendation of the SDCC House Extension Design Guide (2010) for a 1m separation for every 3 metres of height. While ground floor rear extensions of a reasonable height and depth are often granted without requiring 1m separation from neighbouring boundaries, a 2-storey extension is considered to be more likely to have an impact on daylight and aspect from the neighbouring rear windows.

To measure potential impact on adjoining buildings, the House Extension Design Guide recommends use of the 45 degrees test to establish whether there is a risk of loss of daylight or aspect. Examination of the proposed layout shows that the nearest rooms at ground and first floor level of the adjoining house would be within a line drawn at a 45 degrees angle in both plan and elevation from the outer extent of the proposed first floor extension. The extension may therefore cause a significant reduction in the skylight received by these windows.

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The applicant should be requested to address this by **additional information**, either by (i) altering the proposed extension and moving the first floor element away from the party boundary with No. 14, or (ii) show by way of analysis of the change in Vertical Sky Component (VSC) and 'No Sky Line' of the adjoining bedroom and kitchen of No. 14, that the development would not significantly affect daylight in those rooms.

Front porch extension

The extension will have a flat parapet roof with a parapet height of c.3.0m. It will span a width of c.2.294m and will project outwards from the main front building line by c.1.6m. To comply with the SDCC House Extension Design Guide the depth of projections should be limited to a projection of 1.5m. This could be addressed by way of **condition**, but as there are other issues with the development, it is considered this may be addressed by way of **additional information**. The driveway is of sufficient length that the porch extension would not compromise parking provision as per the guidance of the SDCC House Extension Design Guide.

Services and Drainage

Both Irish Water and Surface Water Drainage have recommended Additional Information be requested. An extract taken from the Irish Water report states the following:

IW Recommendation:

Further Information Required

1 Water

1.1 All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

2 Foul

2.1 The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.

2.2 The proposed front porch is approximately 0.5m from a 225mm public wastewater sewer which runs through the front garden of the property according to Irish Water records. Irish Water Standard Details for water Infrastructure require 3m clear distance from a sewer of this size. The applicant shall engage with Irish Water's diversions section to assess feasibility of existing design and an alternative design which accommodates Irish Water's minimum required separation distances from public infrastructure. The outcome of this engagement with Irish

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Water's diversions shall be submitted to the planning authority as a response to Request for Further Information.

2.3 All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

Based on proximity of the proposal in relation to existing services it is considered appropriate to request the above **Additional Information**. In addition to point 2.2 of the Irish Water report, it is considered appropriate to give the applicant the opportunity to pursue a confirmation of feasibility with Irish Water.

An extract taken from the Surface Water Drainage report states the following:

*Surface Water Report: **Further Information** Required:*

1.1 The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all A_j's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdublincoco.ie.

1.2 The applicant shall submit a drawing showing plan and cross sectional views of proposed SuDS (Sustainable Drainage Systems) features for the development

Note: If a soakaway/infiltration system is proposed, the applicant is required to submit soil percolation test results, design calculations and dimensions to the Planning Authority to demonstrate that the proposed soakaway is feasible in accordance with BRE Digest 365 – Soakaway Design. The applicant is required to submit a drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway to the Planning Authority. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

- i) At least 5m from any building, public sewer, road boundary or structure.*
- ii) Generally, not within 3m of the boundary of the adjoining property.*
- iii) Not in such a position that the ground below foundations is likely to be adversely affected.*
- iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- v) Soakaways must include an overflow connection to the surface water drainage network.*

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

Flood Risk Report: No objection subject to:

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

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

It is considered appropriate to request the above **Additional Information**.

Screening for Appropriate Assessment (AA)

Having regard to the distance of the proposed development from any Natura 2000 sites, the nature and scale of the proposed development in the context of the surrounding developments, it is not considered that the proposed development is likely to have a negative effect on a Natura 2000 site and therefore a Stage 2 Appropriate Assessment is not required.

Screening for Environmental Impact Assessment (EIAR)

Having regard to the nature and scale of the proposed development and pursuant to Schedule 5 of the Planning and Development Regulations 2001 (as amended), the proposal is not a class of development for which a mandatory Environmental Impact Assessment Report is required. Additionally, having regard to the distance of the site from nearby sensitive receptors, the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Other Considerations

Development Contributions

- Single storey extension, first floor extension, front porch extension measures c.58sq.m. as stated less c.0.229sq.m. for reduced depth of porch extension measures c.57.771sq.m.
- No previous extension.
- Assessable area is c.17.771sq.m.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – Extensions	57.771sq.m.
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0321

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Conclusion

The proposed development is acceptable in principle; however, revisions are required with regard to the scale and positioning of the proposed first-floor rear extension, the provision of a porch over an existing water pipe, and the total depth of the porch. The applicant should be requested to provide additional information to deal with these matters.

Recommendation

Request Further Information.

Further Information

- Further Information was requested on 21/03/2022.
- Further Information was received on 26/05/2022.

No submissions/observations on the further information have been made.

The following Further Information was requested.

Item 1: First Floor Extension.

Examination of the proposed layout shows that the nearest rooms at ground and first floor level of the adjoining house would be within a line drawn at a 45 degrees angle in both plan and elevation from the outer extent of the proposed first floor extension. The extension may therefore cause a significant reduction in the daylight received by these windows. The applicant is requested to address this by additional information, either by:

- (i) submit revised plans showing increased separation distance between the party boundary of No. 14 and the first-floor rear extension, to such an extent that there will not be a significant reduction in the daylight received, or;
- (ii) show by way of analysis of the change in Vertical Sky Component (VSC) and 'No Sky Line' of the adjoining bedroom and kitchen of No. 14, that the development would not significantly affect daylight in those rooms.

Item 2: Services & Drainage.

(a) The applicant is requested to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the foundation of all AJs, manholes, pipe size, material type and direction of flow. The drawing should clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.

(b) The proposed front porch is approximately 0.5m from a 225mm public wastewater sewer which runs through the front garden of the property according to Irish Water records. Irish Water Standard Details for water Infrastructure require 3m clear distance from a sewer of this size. The applicant is requested to either:

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(i) engage with Irish Water's diversions section to assess feasibility of existing design and an alternative design which accommodates Irish Water's minimum required separation distances from public infrastructure, and submit the outcome of this engagement to the Planning Authority, or

(ii) obtain a Confirmation of Feasibility from Irish Water to the proposed layout.

(c) The applicant is requested to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing should include the location of all AJs, manholes, pipe size, material type and direction of flow. The drawing should clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdblincoco.ie.

(d) The applicant shall submit a drawing showing plan and cross sectional views of proposed SuDS (Sustainable Drainage Systems) features for the development

Note: If a soakaway/infiltration system is proposed, the applicant is requested to submit soil percolation test results, design calculations and dimensions to the Planning Authority to demonstrate that the proposed soakaway is feasible in accordance with BRE Digest 365 – Soakaway Design.

The applicant is requested to submit a drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway to the Planning Authority. Any proposed soakaway should be located fully within the curtilage of the property and shall be:

- (i) At least 5m from any building, public sewer, road boundary or structure.
- (ii) Generally, not within 3m of the boundary of the adjoining property.
- (iii) Not in such a position that the ground below foundations is likely to be adversely affected.
- (iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.
- (v) Soakaways must include an overflow connection to the surface water drainage network.

Item 3: Depth of front Porch limited to 1.5m.

The extension will project outwards from the main front building line by c.1.6m. To comply with the SDCC House Extension Design Guide 2010 the depth of projections shall be limited to a projection of 1.5m and the driveway shall be a minimum length of 6.0m for provision of on curtilage vehicular parking. See Section 4 of the SDCC House Extension Design Guide (Sc4. Front Extensions & Sc4. Outside Space). Please amend to comply with Section 4.

Further Consultations

Surface Water Drainage – **Clarification of Additional Information** recommended.

Irish Water – No objection subject to **conditions**.

Further Submissions/Observations

None received.

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Assessment

Item 1: First Floor Extension.

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

In response to your request for additional information dated 21st March, 2022, please find enclosed 6 copies of revised elevation and floor plans and also replies to each point below:

1. The plans have been changed to incorporate a new design whereby the rear extension will be single storey at ground level where it borders 14 Ballyboden Crescent to the south. The original concern regarding overshadowing and overlooking on the adjoining has been addressed by the revised plans. The first floor rear extension will be set back from No. 14 by a distance of 2.15m.

The extension on ground floor level is 3.6 meters in height which is crucial to the high ceiling feature of the living room design.

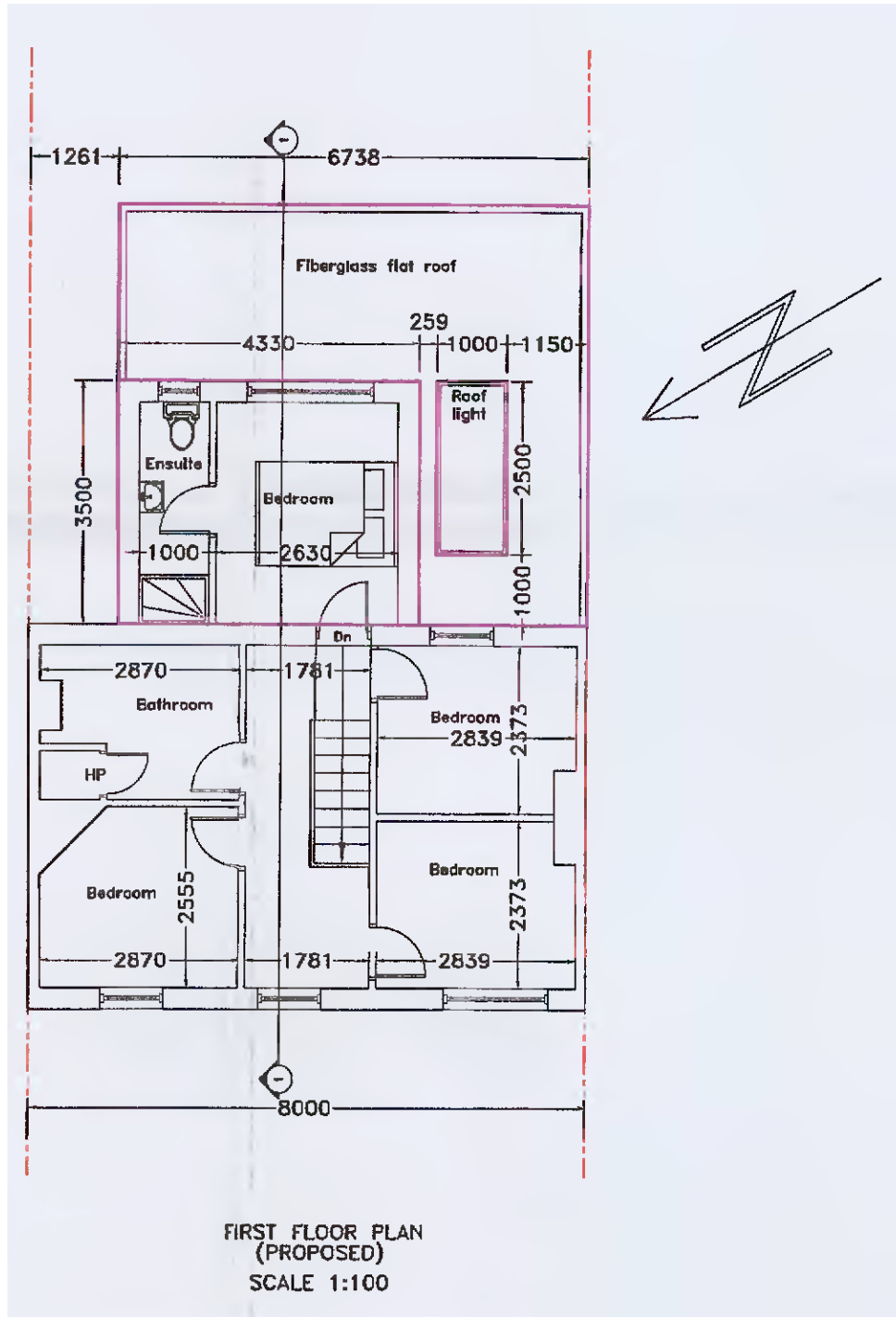
Planning permissions have been granted in the area for similar extensions without the requirement of setting back by 1m for every 3m in height.

SD11B 0031 - Set back of 1.6 m – whilst this was acceptable and addressed potential overlooking/overshadowing impact of the rear extension which extended 7.1m at ground floor level on the neighbouring property it did not fully consider the potential impact of the two storey extension which extends 3.1 m and is over 6m in height. The following drawing shows the separation from the northern boundary wall set at 1.1m.

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The council, in its decision to grant this planning permission afforded some much needed lee-way to the applicant and common sense prevailed. This is reflected in the Record of Executive Business and Manager's order;

Given the scale of the proposed first floor rear extension, its setback from shared side boundary walls and its hipped roof profile, it is considered that the proposal would not adversely impact on the residential amenity of adjoining properties by way of overshadowing or loss of outlook.

Whilst the guideline of setting back 1m for every 3m in height exists, sometimes it is necessary to show flexibility to ensure the retention of the character and overall feasibility of a new extension.

My client politely asks for some leeway to be shown with regard to setting back from the boundary line and notes SD11B/0031 as a precedent set in the area. It would be regrettable for my client to lose such a significant amount of floor space due 60cm of height which will not negatively impact on the adjoining property (14 Ballyboden Crescent). The slightly higher living room ceiling is crucial to the design and my client is extremely reluctant to change the plans to this end.

The revised changes made to the proposed development would address concerns regarding overlooking on the adjoining property. The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

Item 2: Services & Drainage.

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

2. (a) All matters pertaining to drainage have been addressed and are reflected in the new drawings.
- (b) The front porch in the original plans has been removed from the plans which is reflected in the new drawings.
- (c) All matters pertaining to drainage have been addressed and are reflected in the new drawings.
- (d) All matters pertaining to drainage have been addressed and are reflected in the new drawings.

On review of the additional information submitted Surface Water Drainage have issued a report recommending **Clarification of Additional Information** and Irish Water have issued a report recommending no objections subject to **conditions**.

An extract taken from the Surface Water Drainage report states the following:

Surface Water Report: ***Further Information Required:***

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1.1 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.

1.2 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:

- i) At least 5m from any building, public sewer, road boundary or structure.*
- ii) Generally, not within 3m of the boundary of the adjoining property.*
- iii) Not in such a position that the ground below foundations is likely to be adversely affected.*
- iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.*
- v) Soakaways must include an overflow connection to the surface water drainage network.*

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

Flood Risk Report: No objection subject to:

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

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

Notwithstanding the report from Surface Water Drainage, it is considered the above may be dealt with by way of **condition** in the event of a grant.

An extract taken from the Irish Water report states the following:

1 Water

1.1 All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

2 Foul

2.1 All development shall be carried out in compliance with Irish Water Standards codes and practices.

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It is considered appropriate to attach the above **conditions** in the event of a grant.

Item 3: Depth of front Porch limited to 1.5m.

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

3. The front porch in the original plans has been removed from the plans which is reflected in the new drawings.

The drawings submitted show the front porch has now been omitted. The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

Other Considerations

Development Contributions

- Single storey extension, first floor extension (reduced by c.10.817sq.m.), front porch extension (c.1.694sq.m. now omitted). Original total area measures c.58sq.m. as stated. Less c.12.511sq.m. measures 45.489sq.m.
- Revised internal floor area following AI request changes measures c.45.489sq.m.
- No previous extension.
- Assessable area is c.5.489sq.m.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – Extensions	45.489sq.m.
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0321

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

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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 as amended by Further Information received on 26/05/2022, 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. (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.
Prior to commencement of development the applicant shall submit the following information to the Planning Authority for written approval:
 - (i). There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant shall submit a report showing site specific soil

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percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

(ii). The applicant shall 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:

- At least 5m from any building, public sewer, road boundary or structure.
- Generally, not within 3m of the boundary of the adjoining property.
- Not in such a position that the ground below foundations is likely to be adversely affected.

- 10m from any sewage treatment percolation area and from any watercourse / floodplain.
- Soakaways must include an overflow connection to the surface water drainage network.

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

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

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

(vi). All development shall be carried out in compliance with Irish Water Standards codes and practices.

(vii). The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(viii). 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.

(ix). 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

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

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

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

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

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

3. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €573.55 (five hundred and seventy three euros and fifty five 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

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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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

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REG. REF. SD22B/0025

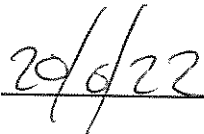
LOCATION: 13, Ballyboden Crescent, Dublin 16




Jim Johnston,
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:





Eoin Burke, Senior Planner