

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0245 **Application Date:** 31-May-2022
Submission Type: Additional **Registration Date:** 30-Aug-2022
Information

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

Proposed Development: Attic conversion for storage with dormer window to rear and 2 velux windows to the front roof area. First floor extension to the rear. Raise roof on existing single storey extension to the rear. Extension of existing single storey shed in back garden for storage and gym area.

Location: 13, Saint Malachy's Drive, Dublin 12

Applicant Name: Michelle Smith

Application Type: Permission

Description of Site and Surroundings:

Site Area

0.0258 Hectares.

Site Description

The application site is located within the established St Malachy's Drive residential area and contains a semi-detached two storey dwelling with a hard surfaced front driveway and a rear garden containing a single storey shed and a garage. The surrounding streetscape of St Malachy's Drive is generally characterised by semi-detached two storey dwellings of similar appearance and form. The dwellings along St Malachy's Drive have a generally uniform building line which follows the alignment of the road.

The existing semi-detached two storey dwelling contains a porch, a hall, sitting room, living room, toilet and kitchen at ground floor level and 4 No. bedrooms (one of which is ensuite) and a family bathroom at first floor level. The main roof profile of the dwelling is pitched with a ridge level of c. 8m. The dwelling has been subject to previous modification with the addition of a rear extension providing an enlarged kitchen area at ground floor level and an ensuite bedroom at first floor level.

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

Proposal:

Permission is being sought for the following:

- Provision of a dormer extension to the rear at attic level, which projects approximately 2m out from the roof, has an approximate width of 3.64m and with an approximate height of 2.2m.
- A first floor extension to the rear of the existing dwelling which projects approximately 2.7m out from the existing dwelling and spans an approximate width of 6m. The extension will facilitate the reconfiguration of the first floor layout to provide 4 No. bedrooms (two of which are ensuite) and a family bathroom.
- In addition to the provision of a rear dormer, the proposal includes amendments to the roof profile resulting in the creation of a flat roof to the proposed first floor extension which had an eaves height of approximately 5.8m and the creation of a flat roof to the single storey projection which has an approximate eaves height of 3m.
- Addition of 2 No. new first floor windows to proposed first floor rear extension, 1 No. window to the proposed rear dormer, 2 No. rooflights to the front pitch of the main roof and 1 No. rooflight to the existing single storey projection to the rear of the dwelling.
- Extension to the existing garage structure in the rear garden resulting in a single storey gym and storage area which is approximately 5m in width and 9m in length.
- All ancillary site works above and below ground.

Zoning:

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity' in the South Dublin County Development Plan 2016-2022.

Consultations:

Drainage and Water Services Department – No report received at time of writing.

Irish Water – No report received at time of writing.

Roads Department – No objection, subject to conditions.

SEA Sensitivity Screening

No overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

Submission expiry date – 4th July 2022.

No submissions or objections received.

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

Relevant Planning History

Subject Site

SD11B/0328

Extension to dwelling including all ancillary works. **SDCC Decision:** Grant Permission, subject to conditions.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions

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

Policy H18 Objective 1:

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

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.3 Additional Accommodation

Section 11.3.3 (i) Extensions

Section 11.8.2 Appropriate Assessment

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

South Dublin County Council House Extension Design Guide (2010)

The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on side extensions:

Elements of Good Extension Design:

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

For attic conversions and dormer windows

- *Use materials to match the existing wall of roof materials of the main house;*
- *Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch;*
- *Locate dormer windows as far back as possible from the eaves line (at least 3 tile courses);*
- *Relate dormer windows to the windows below in alignment, proportion and character; and*
- *In the case of a dormer window extension to a hipped roof, ensure it sits below the ridgelines of the existing roof and matches the materials used in the main house.*

Rear Extensions:

- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*

Overlooking and loss of privacy

- *Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.*

Relevant Government Guidelines

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

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

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

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

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy.
- Visual and Residential Amenity.
- Drainage and Water Services.
- Environmental Impact Assessment.
- Appropriate Assessment Screening.

Zoning and Council Policy

The extension to an existing dwelling comprised of an attic conversion, rear extension and extension of ancillary garage structure is generally consistent with the principle of the 'RES' zoning objective, subject to compliance with the relevant policies and objectives contained within the South Dublin County Development Plan 2016-2022 and the South Dublin County Council House Guide (2010).

Visual and Residential Amenity

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

First Floor Rear Extension

The proposed development includes a first-floor extension to the rear of the existing dwelling which projects approximately 2.7m out from the existing dwelling and spans an approximate width of 6m. The extension will facilitate the reconfiguration of the first-floor layout to provide 4 No. bedrooms (two of which are ensuite) and a family bathroom.

According to the drawings provided by the Applicant, the proposed first floor rear extension would directly adjoin the party boundary with No. 15 St. Malachy's Drive to the west and No. 11 St. Malachy's Drive to the west. It is noted that the extension would project approximately 0.8m out from the eastern elevation of the dwelling, creating an overhang below. This would be unacceptable to the Planning Authority as it would create a visually incongruous insertion to the

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

receiving context. The following extracts from the South Dublin County House Extension Design Guide (2010) are of particular note:

'Avoid visually dominant and over-large rear extensions where they will be visible from public view.

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

Having regard to the content of the South Dublin House Extension Design Guide (2010) and the approximate 5.6m height of the propose first floor rear extension, it is considered that the proposal has significant potential to adversely impact the visual and residential amenity of adjacent properties. In this regard, the Applicant should be requested to re-design the proposal to ensure that a separation distance of at least 1m per 3m of proposed overall height is achieved. This can be achieved by way of a request for **ADDITIONAL INFORMATION**.

Attic Conversion and Rear Dormer

Permission is also sought for the provision of a dormer extension to the rear at attic level, which projects approximately 2m out from the roof, has an approximate width of 3.64m and with an approximate height of 2.2m.

The proposed dormer appears to be sited approximately 0.5m from the party boundary with No. 15 St Malachy's Drive to the west and 2m from the boundary with No. 11 St Malachy's Drive to the east. In order to mitigate against the potential for overbearing adjacent properties, it is considered that the siting of the proposed dormer should be altered slightly to achieve at least a 1m separation distance to the party boundary with No. 15 St. Malachy's Drive. This can be achieved by way of a request for **ADDITIONAL INFORMATION**.

The following extract from that South Dublin County House Extension Design Guide (2010) in relation to attic conversions and dormer extensions is of note:

'Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch;

Locate dormer windows as far back as possible from the eaves line (at least 3 tile courses);

Relate dormer windows to the windows below in alignment, proportion and character'.

The rear elevation drawing appears to show the dormer located at least 100mm below the ridgeline and that the proposed windows relate to the fenestration pattern of the dwelling. However, it is

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

unclear from the drawing whether or not the proposed dormer is located at least 3 No. tile courses from the eaves line. It is considered that this can be clarified by way of **ADDITIONAL INFORMATION**.

Extension to Existing Garage Structure

The proposed development includes an extension to the existing garage structure located in the rear garden of the existing dwelling. The extension would result in a single storey gym and storage area which is approximately 5m in width and 9m in length. It is noted that the alterations to the flat roofed structure would result in an increase in the height from the existing 2.4m to the proposed 3.6m. The structure directly adjoins the rear and side (western) boundaries and is located approximately 1.48m from the eastern (side) boundary. The structure includes a door and window in the northern elevation facing towards the existing dwelling and 2 No. windows in the eastern elevation approximately 1.48m from the boundary with No. 11 St. Malachy's Drive.

Having regard to the orientation of the rear gardens along St. Malachy's Drive, it is considered that the proposed 3.6m height of the garage structure would have potential to impact on the residential amenity of adjoining properties. In this regard, the Applicant is requested to re-design the proposed extension to reduce to the proposed height to no greater than 3m. This can be achieved by way of a request for **ADDITIONAL INFORMATION**.

The Plan and Elevational drawings provided with this Planning Application are deficient as they do not adequately show the proposed extension to the garage structure in the receiving context. In this regard, the Applicant should be requested by way of **ADDITIONAL INFORMATION** to provide plan and elevational drawings which should show the proposed structure in the context of the surrounding area.

Table 11.20 of the South Dublin County Development Plan 2016-2022 outlines the minimum private open space standards for houses, indicating that a minimum of 70 sq. m is required for dwellings with 4 No. bedrooms or more. It would appear from the drawings provided by the Applicant that the proposed development would result in the reduction of the private open space to below the standard required in the Development Plan. In this regard, when re-designing the proposed extension to the garage structure, the Applicant should be requested to demonstrate by way of **ADDITIONAL INFORMATION** that the minimum standard can be achieved.

The proposed development provides for the conversion of the existing attic into an attic room with new access stairs. According to the annotation on the development description in the Statutory Notices, the attic conversion is proposed as a non-habitable space. Should the Planning Authority be minded to Grant Permission for the proposed development a **NOTE** should be attached stating that in order to use the attic for habitable space it must comply with the Building Regulations.

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

Drainage and Water Services

The Irish Water Network map appears to indicate that the subject site is serviced by a public mains and sewer. Having regard to the nature and scale of the proposed development (a front porch), it is considered that there is unlikely to be any impact on the existing water and wastewater infrastructure.

Environmental Impact Assessment

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

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises conversion of an attic space, provision of a dormer extension, rear extension and extension to an ancillary garage structure. Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

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, whilst the principle of the proposed development is accepted, significant concerns arise regarding the potential for the proposal to adversely impact the visual and residential amenity of the area and alter the character of the streetscape. It is therefore considered that the Applicant should be requested by way of **ADDITIONAL INFORMATION** to re-design the proposed development to ensure it is in accordance with the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

Recommendation

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

1. The Applicant is requested to provide revised plan, sectional and elevational drawings which clearly demonstrate the following revisions to the proposed development:
 - (i) The provision of a separation distance of at least 1m per 3m of overall height between the proposed first floor extension and the party boundaries with adjoining properties.
 - (i) The siting of the proposed dormer should be altered to ensure the provision of a 1m separation distance between the dormer and the party boundary with No. 15 St. Malachy's Drive.
 - (ii) Elevational drawings clearly demonstrating that the proposed rear dormer is located at least 3 No. tile courses above the eaves line.
 - (iii) Reduce the height of the proposed garage structure to no more than 3m.
 - (iv) Plan, elevational and contiguous elevational drawings which show the proposed garage structure in the context of the surrounding receiving area.
 - (v) Site Layout drawings demonstrating that the minimum standard for private open space outlined in Table 11.20 of the Development Plan can be achieved. If necessary, the extent of the proposed garage extension should be revised to ensure the minimum private open space quantum can be achieved.

Additional Information

Additional Information was requested on 25th July 2022.

Additional Information was received on 30th August 2022.

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

Submissions/Observations

No submissions / observations received at the time of writing this Report.

Assessment

The following Additional Information was received from the Applicant on 30th August 2022:

- Cover Letter prepared by Architectural Drawings and Building Services dated 16th August 2022.
- Revised Site Layout Plan Drawing prepared by Architectural Drawings and Building Services.

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

- Revised Floor Plans and Sections Drawing prepared by Architectural Drawings and Building Services.
- Revised Elevations Drawing prepared by Architectural Drawings and Building Services.

The Additional Information provided by the Applicant will be assessed below in the context of the Additional Information Item requested by the Planning Authority on 25th July 2022:

Additional Information Item No. 1

In response to Additional Information Item No. 1 the Applicant has provided amended drawings which respond to each element of Additional Information Item No. 1 as follows:

- (i) The Applicant does not appear to have amended the design of the proposed first floor extension to provide a separation distance of at least 1m per 3m of overall height between the proposed first floor extension and the party boundaries with adjoining properties. It is noted that the extension would project out from the eastern elevation of the dwelling, creating an overhang below. This would be unacceptable to the Planning Authority as it would create a visually incongruous insertion to the receiving context. Should the Planning Authority be minded to Grant Permission for the proposed development, a **CONDITION** should be attached requiring revised drawings to be provided prior to the commencement of development which demonstrate the omission of the projecting element of the first floor extension. Considering the scale and massing of the existing extension and the depth of the rear extension at first floor level, the separation distance of the proposed first floor extension from the adjoining properties is considered to be acceptable.
- (ii) The siting of the proposed dormer has been altered to ensure the provision of a 1m separation distance between the dormer and the party boundary with No. 15 St. Malachy's Drive. The separation distance between the proposed dormer and the party boundary with No. 11 St. Malachy's Drive remains above 1m.
- (iii) The elevational drawings demonstrate that the proposed rear dormer is located at least 3 No. tile courses above the eaves line.
- (iv) According to the elevational drawings provided by the Applicant, the height of the proposed garage structure has not been reduced to 3m or below. Further assessment of the proposed structure is provided below.
- (v) Whilst the Applicant has provided Plan and Elevational drawings of the proposed structure, no contiguous elevational drawings have been provided showing the structure and its relationship with adjacent structures. It is therefore difficult to provide an assessment of the proposed 3.4m high structure within the receiving context. However, it was observed on a Site Visit that the shed on the neighbouring property at No. 15 St. Malachy's Drive has an approximate height of 4.5m. According to the proposed Site Layout Plan drawing, the proposed shed structure will match the building line created by the existing garage in the rear garden of No. 15 St. Malachy's

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

Drive. Furthermore, it is noted that a separation distance of approximately 1.5m is provided between the proposed garage structure and the party boundary with No. 11 St. Malachy's Drive. Therefore, in this instance having regard to the receiving context of the subject site, the proposed height of the garage structure is considered acceptable.

- (vi) The Site Layout drawing provided by the Applicant appears to show Private Amenity Space to the rear of the dwelling measuring approximately 47 sq. m. This is below the minimum standard of 60 sq. m for a 3 No. bedroom dwelling as outlined in Table 3.20 of the South Dublin County Development Plan 2022-2028. However, having regard to the content of the South Dublin House Extension Design Guide (2010) which states that an extension '*should not reduce the rear garden area to less than 25 sq. m in total*' and the location of the subject site approximately 75 sq. m to the northeast of Greenhills Park, in this instance the reduction of the private open space to below the minimum standard is considered acceptable.

The amendments applied by the Applicant have partially addressed Additional Information Item No. 1 and it is considered that the remaining outstanding concerns can be addressed by way of **CONDITION** should the Planning Authority be minded to Grant Permission for the proposed development.

Other Considerations

South Dublin County Development Plan 2022-2028

The South Dublin County Development Plan 2022-2028 was adopted on 3rd August 2022. It is noted that the zoning of the subject site remains Objective 'RES'.

Green Infrastructure

The subject application provides for a relatively small increase in the footprint of the subject house on an established suburban residential site. The site is not located within a Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028). It is noted that the application includes for SuDS measures in the form of permeable paving.

Having regard to the extent of private amenity grassland retained, the scale of the footprint increase and the provision of SuDS measures, it is considered that the subject development has incorporated Green Infrastructure and will protect, manage and enhance the GI resources on the subject site. As such, the proposal is in accordance with GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 – 2028.

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

Development Contribution	
Previous Extension	42.6 sq. m
Previous Extension to be removed	15.9 sq. m
Previous Extension remaining	26.7 sq. m
Habitable Area of Proposed Extension	13.1 sq. m
Total habitable extension area	39.8 sq. m
Assessable Area	0 sq. m

NB: As the habitable area of the proposed extension is to be constructed in place of the previous first floor extension no development contribution arises as it remains within the first 40 sq. m of an extension to the dwelling and is thus exempt.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential (Domestic Extension and Family Flat)	27 sq. m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0258 Ha.

Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2022-2028, the South Dublin County House Extension Design Guide (2010) and the Additional Information provided by the Applicant, it is considered that, subject to conditions, the proposed development generally adheres to the key policies, objectives and guidance and would not be contrary to the proper planning and sustainable development of the area.

Recommendation

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

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 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.

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

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 25th July 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. Prior to the commencement of development the Applicant shall submit for the written agreement of the Planning Authority revised Site Layout, Plan, Sectional and Elevational drawings demonstrating revisions to the proposed first floor rear extension resulting in the omission of the overhang to the eastern elevation .
REASON: In the interests of the proper planning and sustainable development of the area.
3. Restriction on Garage Use.
The garage structure located in the rear garden shall be used solely for purposes incidental to the enjoyment of the dwelling house as such and shall not be used for habitation or the carrying on of any trade or business, and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling
REASON: In the interest of residential amenity.
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, the proposed extension and garage structure 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.
 - (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.

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

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) Vehicular Access

(i) The vehicular access point shall be limited to a maximum width of 3.5m.

(ii) All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

REASON: In the interests of traffic and pedestrian safety.

(e) Minimise Air Blown Dust.

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

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

(f) Construction Noise and Hours.

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

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

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

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

- 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.

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

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

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

NOTE: The applicant/developer of these lands is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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

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

Comhairle Chontae Atha Cliath Theas

PR/1200/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0245

LOCATION: 13, Saint Malachy's Drive, Dublin 12



Colm Harle,
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: 26/07/22



Gormla O'Corrain,
Senior Planner