

**An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department**

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**Terry & O'Flanagan Ltd.
F1, Centrepoint Business Park
Oak Road
Dublin 12**

**NOTIFICATION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING
REGULATIONS THEREUNDER**

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|------------------------|-------------------|----------------------|--------------------|
| Final Grant Order No.: | 0233 | Date of Final Grant: | 23-Feb-2022 |
| Decision Order No.: | 0019 | Date of Decision: | 10-Jan-2022 |
| Register Reference: | SD21B/0372 | Date: | 03-Dec-2021 |

Applicant: Anne Jackson

Development: Construction of a two storey extension (floor area c.143sq.m) to the rear (west) of existing dwelling; construction of a single storey detached three bay carport/home office (floor area c.58.8sq.m) to the side (north) and (c) the provision of a new 100mm diameter foul drain connecting to the existing 225mm diameter foul sewer which is located in the access laneway; demolition of part ground and first floor element (floor area c.37sq.m) to the rear (west) of the existing dwelling and demolition of the two detached single storey outhouses (shed 1 & 2) located to the north and west, associated minor internal and external alterations and all ancillary site development works.

Location: Palmyra, Whitechurch Road, Rathfarnham, Dublin 16

Time extension(s) up to and including:

Additional Information Requested/Received: 26-Aug-2021 / 03-Dec-2021

A Permission has been granted for the development described above, subject to the following conditions.

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 the 3rd of December 2021, 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) Drainage - Irish Water.

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

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

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

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

(c) Minimise Air Blown Dust.

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

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

(d) Construction Noise and Hours.

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

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

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

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

REASON: In the interest of public health by the prevention of unacceptable levels of noise

pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

3. Restrictions on Use.

The use of the carport/home office building for residential purposes shall not be used as a dwelling house and shall be restricted to a use ancillary to the use of the existing house on the site, and the structure shall not be sub-divided from the existing house, either by way of sale or letting (including short-term) or otherwise.

REASON: In the interests of proper planning and sustainable development of the area.

4. Architectural Conservation

(a) The proposed works shall be carried out in accordance with the details provided in the Additional Information submission and in accordance with the conservation report provided as part of the planning application.

(b) Safety measures shall be put in place during the proposed works on site. A Safety Statement shall be provided detailing how the existing structures will be protected during demolition works and site clearance/excavation and construction. A safety statement should be submitted for written agreement of the Planning Authority prior to the commencement of development.

(c) A Schedule of materials and finishes shall be provided for the proposed new additions and extension prior to commencing development by way of confirming final material finishes and colours. This should include full details on materials and finishes for all elements of the proposed development.

(d) In order to ensure no damage is caused directly to the boundary wall of Palmyra House and the adjacent Protected Structure Site (Whitechurch Church and Graveyard) the roof covering and timbers of the shed to be demolished shall be removed without damaging the existing wall. Ivy and other vegetation shall be cleared from the wall and existing capping repaired and an loose stones repointed using lime mortar.

Repairs to the boundary walls shall be completed as part of the overall development. In relation to the Lane Wall, the northern end of the shed, when the shed is removed, vegetation in this section shall be removed and top of the wall repointed and capped using lime mortar, as necessary.

REASON: To ensure works are carried out in accordance with the particulars provided and methodology, that Palmyra House is safeguarded and the addition is of high quality and reflects the overall design ethos, that works are carried out with best conservation practices using the correct materials and methods and all work required should be completed as part of the overall development.

5. Archaeological Monitoring

(a) The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

(b) Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.

(c) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

6. Existing Septic Tank.

The existing septic tank shall be decommissioned, emptied and made safe.

REASON: In the interest of public health and amenity.

7. Protection/Retention of Existing Trees.

Existing trees shall be retained and shall be protected from damage during building operations in accordance with the Tree Protection Plan by the Arborist, drawing no. 191013-P-22.

Only those trees detailed for removal on drawing no. 191013-P-21, submitted to the Planning Authority on the 3rd of December 2021 shall be removed. These trees shall be removed in accordance with the recommendations of the Arboricultural Report submitted to the Planning Authority on the 3rd of December 2021. All other trees on the site shall be retained and shall be protected from damage for the duration of the works on site, to the satisfaction of the Planning Authority in accordance with BS 5837: 2012.

All existing trees to be retained shall be enclosed by stout protective fencing, located at a suitable distance as detailed in BS: 5837 – 2012 – ‘Trees in Relation to Design, Demolition and Construction’. This protective fencing shall be erected no later than two weeks of the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site, and before any materials are brought onto site and prior to the commencement of any works associated the proposed development.

The Planning Authority shall be notified in writing when protective measures are commencing and also in writing when they have been completed.

The protective fencing shall at all times be maintained intact and in good order for the duration of the construction works. Any damage caused to the protective fence shall be repaired immediately.

No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the protective fence(s), nor shall any changes in ground level be made within the fence(s) unless previously agreed in writing by the Planning Authority.

In the event that trees become damaged or otherwise defective during construction period, South Dublin County Council shall be notified as soon as reasonably practicable and remedial action agreed and implemented at the developer own expense.

Any necessary tree felling and surgery works shall be first agreed on-site and subsequently in writing with the Planning Authority prior to the commencement of the development.

The proposed location of the site compound, and the exact routes of all water mains, foul and surface water sewers shall be marked out on site, and agreed with the Planning Authority’s Public Realm Section prior to the commencement of any works on site, so as to minimise damage to trees which could result from excavation works, storage of materials and construction of temporary access roadway.

REASON: In the interests of proper planning and sustainable development, compliance with Development Plan policy, visual amenity and the protection of existing trees and biodiversity.

8. Surface Water

The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

- (a) A report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
- (b) A 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.
- (c) A revised surface water drainage layout drawing showing the inclusion of water butts as part of additional SuDS (Sustainable Drainage Systems) features for the proposed development.

REASON: in the interest of proper drainage.

9. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €10,762.47 (ten thousand seven hundred and sixty two euros and forty seven 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 contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

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: 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.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. Please log onto www.localgov.ie and click on BCMS link.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1: Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.


for Senior Planner

28-Feb-2022