

**South Dublin County Council**  
**An Rannóg Talamhúsáide, Pleanála agus Iompair**  
**Land Use, Planning & Transportation Department**  
**Telephone: 01 4149000 Fax: 01 4149104 Email: [planning.dept@sdblincoco.ie](mailto:planning.dept@sdblincoco.ie)**

**Loretta Kennedy**  
**19, Greenville Terrace**  
**Dublin 8.**

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

Final Grant Order No.:	<b>0367</b>	Date of Final Grant:	<b>24-Mar-2022</b>
Decision Order No.:	<b>0136</b>	Date of Decision:	<b>03-Feb-2022</b>
Register Reference:	<b>SD21A/0255</b>	Date:	<b>07-Jan-2022</b>

**Applicant:** Teresa & Sean Butler  
**Development:** Construction of 2 three storey dwellings and associated ancillary site works.  
**Location:** Hawthorns, Killakee Lawns, Firhouse, Dublin 24

**Time extension(s) up to and including:**

**Additional Information Requested/Received:** 02-Nov-2021 / 07-Jan-2022

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 07/01/2022, 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. Permission Required for Class 1 & 3 Exemptions.  
Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Part 1 of Schedule 2 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.  
REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

3. Access Arrangements  
The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.  
REASON: To ensure safe access and egress to the site in the interests of traffic and pedestrian safety.
4. Tree Bond  
A tree bond of €1,500 (one thousand five hundred euros) shall be lodged with the Planning Authority to ensure the protection of the existing street tree in the grass margin during the course of the development works. The release of the bond will be considered a minimum 12 months after the completion of all site works at the discretion of the Landscape/Public Realm Section. This will involve assessment of whether the trees specified for retention have been preserved in their prior condition and have suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree protection.  
REASON: In the interest of the proper planning and sustainable development of the area, street-tree protection, and the maintenance of the county's green infrastructure in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.
5. Protection of Street Tree in Grass Margin  
In order to ensure the protection of the existing street tree to the side of this proposed development, suitable tree protection fencing shall be installed in order to protect the existing tree during construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection area.  
REASON: To ensure the safety and well-being of the trees on and adjacent to the subject site that are to remain after building works are completed, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.
6. Irish Water  
All works shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure and Wastewater Infrastructure  
REASON: In the interest of public health and to ensure adequate water facilities.
7. Irish Water Connection Agreements  
Prior to commencement of development the applicant shall enter into water connection and wastewater connection agreements with Irish Water.  
REASON: In the interest of public health and to ensure adequate water facilities.
8. Restriction on Use.  
The houses shall each be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.  
REASON: To prevent unauthorised development.

9. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

REASON: In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

10. House Number.

The number of the houses shall be 51 & 53, and this number shall be placed on the completed house prior to its occupation in a manner so as to be clearly legible from the public road.

In the event that this number already exists, the applicant, owner or developer shall agree a name and number in writing with the Planning Authority;

REASON: In the interests of the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

11. 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.

12. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no 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 be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor 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.

13. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €28,086.91 (twenty eight thousand and eighty six euros and ninety one 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 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 is advised that, in order to use the attic in each dwelling as a habitable room, it must comply with the Building Regulations.

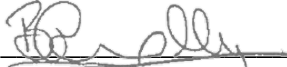
NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

- (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](http://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.

  
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*for Senior Planner* 25-Mar-2022