

South Dublin County Council  
An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
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**NOTIFICATION TO GRANT PERMISSION  
PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING  
REGULATIONS THEREUNDER**

Final Grant Order No.:	<b>0418</b>	Date of Final Grant:	<b>04-Apr-2022</b>
Decision Order No.:	<b>0247</b>	Date of Decision:	<b>24-Feb-2022</b>
Register Reference:	<b>SD21A/0356</b>	Date:	<b>22-Dec-2021</b>

**Applicant:** Tim O'Sullivan & Louise Prendergast

**Development:** Construction of Part two storey, part single storey four bedroom detached dwelling; 1m high pedestrian entrance gate; boundary railing and handrail to the front of the site with access through a dual ownership driveway and existing vehicular entrance on Muckcross Green; all associated site, landscaping, drainage and ancillary works including off-street parking, bin storage and bike storage. Proposed dwelling consists of living, utility, wc, dining room and bedroom and home office space at ground floor. First floor consists of 3 bedrooms, wc, ensuite and games room/gym. New works from the previous SD20A/0292 application include a 1.5 storey high dormer structure to the east with single storey structure to its north and extension of single storey dining room to the north by 1.5m.

**Location:** 16, Muckcross Green, Dublin 12

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

**Additional Information Requested/Received:** /

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

**Conditions and Reasons:**

1. Development in accordance with submitted plans and details.

The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, 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. Amendments

Prior to the commencement of development the applicant, owner or developer shall submit, for the written agreement of the Planning Authority:

(a) A Site Location Map showing the correct site boundary/red line. Such map shall be consistent with the red line indicated on all submitted drawings.

(b) Revised plans that omit the external front door to the office.

REASON: To ensure that the dwelling is not inappropriately used as separate units and in the interests of the proper planning and sustainable development of the area.

3. Landscape.

Prior to the commencement of development, the applicant/developer shall submit:

1. A fully detailed landscape plan, that incorporates:

(a) all existing trees on the site. Where it is proposed to remove existing trees from the site to accommodate the development hereby permitted, proposals for their replacement on the site shall be submitted.

(b) full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The Landscape Plan shall include hard and soft landscaping details including levels, sections/elevations and a timescale for its implementation.

2. A fully detailed Planting Plan for the development. The Planting Plan shall comprise water-absorbing planting that contributes to the absorption of surface water generated on the site.

REASON: In the interests of supporting biodiversity, climate adaptation, flood prevention, the protection of residential amenity and in the interests of proper planning and sustainable development.

4. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

5. Drainage

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

(b) All works for this development shall comply with the requirements of 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.

6. Roads

(a) The vehicular access points shall be limited to a width of 4 m.

(b) 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.

(c) The pedestrian gate shall be limited to a maximum height of 1m in order to improve forward visibility for vehicles.

(d) Any gates shall open inwards and not out over the public domain.

(e) The vehicular entrance and car parking spaces shall serve both the existing (No. 16) and proposed dwellings. The area to the front of the dwellings shall not be subdivided and shall remain communal for the use of the occupants of both dwellings.

REASON: In the interests of visual amenity, sustainable development and pedestrian and traffic safety.

7. 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.

8. 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.

9. Restriction on Use.

The house shall be used as a single dwelling unit for residential purposes and shall not be subdivided 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.

10. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €21,106.98 (twenty one thousand one hundred and six euros and ninety eight 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 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: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

- (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.

  
for Senior Planner

04-Apr-2022