

# Comhairle Chontae Atha Cliath Theas

PR/1391/22

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22B/0418      **Application Date:** 14-Sep-2022  
**Submission Type:** New Application      **Registration Date:** 14-Sep-2022  
**Correspondence Name and Address:** Wynne Civil Engineering Greenhills, Kill, Co. Kildare  
**Proposed Development:** Relocation of the existing entrance door and provision of an open porch to the front elevation. Demolition of an existing single storey extension and construction of new single storey extension to the rear. Replacement of the existing septic tank with a new secondary waste water treatment system and soil polishing filter and all associated ancillary site development works above and below ground.  
**Location:** Westwinds, Loughton Lower, Newcastle, Dublin  
**Applicant Name:** Clifford and Aine Lebioda  
**Application Type:** Permission

(NM)

### Description of Site and Surroundings:

#### Site Area

Stated as 0.3615 Hectares.

#### Site Description

The application site is located on a narrow rural road within close proximity to the R120 and R405 outside Newcastle but not within the Newcastle Local Area Plan area. The surrounding area is predominantly in agricultural use with one off residential units along this road. The subject property is detached single storey dwelling with a pitched gable roof and a separate garage.

#### Proposal:

The development will consist of:

- Relocation of the existing entrance door and provision of an open porch to the front elevation.
- Demolition of an existing single storey extension and construction of new single storey extension to the rear.

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- Replacement of the existing septic tank with a new secondary wastewater treatment system and soil polishing filter and all associated ancillary site development works above and below ground.
- Total area of demolition 25sqm. Total area of works 41sqm.

### **Zoning:**

The site is subject to zoning objective 'RU' - 'To protect and improve rural amenity and to provide for the development of agriculture'

### **Consultations:**

*Irish Water* - No report received at the time of writing.

*Water Services* – No report received at the time of writing.

*Roads* – No report received at the time of writing.

*EHO* - No objection subject to conditions.

*An Taisce* – No objection.

*Heritage Officer* – No report received at the time of writing.

*Parks* – No objection or comments.

### **SEA Sensitivity Screening**

Overlaps with Rural Layer.

### **Submissions/Observations /Representations**

None received.

### **Relevant Planning History**

#### Subject Property

S01B/0141 – **Permission Granted for Retention** of existing extension to the rear.

#### Adjacent sites:

SD15B/0173 - Loughtown Lower, Brownstown Lane, Brownstown, Newcastle, Co. Dublin – **Permission Refused for Retention of** rear single storey extension for family use, family flat, garden rooms.

SD18B/0403 - Millicent Lodge, Brownstown, Newcastle, Co Dublin – **Permission Granted** for construction of a single storey domestic shed (floor area not exceeding 105sq.m) including associated site works to the rear.

SD16B/0398 - Hillview, Loughtown Lower, Newcastle, Co. Dublin – **Permission and Retention Permission Granted** for new entrance door, porch, utility, window, elevational changes, rooflights and permission for construction of a replacement recessed entrance gate.

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### Relevant Enforcement History

None recorded.

### Pre-Planning Consultation

None recorded.

### Relevant Policy in South Dublin County Council Development Plan 2022 - 2028

*Chapter 4 Green Infrastructure*

*Section 4.1 Methodology*

*GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.*

*Section 4.2.1 Biodiversity*

*GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.*

*Section 4.2.2 Sustainable Water Management*

*Policy GI3: Sustainable Water Management*

*Protect and enhance the natural, historical, amenity and biodiversity value of the County's watercourses. Require the long-term management and protection of these watercourses as significant elements of the County's and Region's Green Infrastructure Network and liaise with relevant Prescribed Bodies where appropriate. Accommodate flood waters as far as possible during extreme flooding events and enhance biodiversity and amenity through the designation of riparian corridors and the application of appropriate restrictions to development within these corridors.*

*GI3 Objective 3: To promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site.*

*GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

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### Chapter 6

#### Section 6.8.2 Residential Extensions

*Policy H14: Support the extension of existing dwellings subject to the protection of residential and visual amenities.*

*H14 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 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).*

#### 6.9.6 Rural Dwelling Occupancy

##### *Policy H22: Occupancy Condition*

*Conditions attached to the grants of permission for housing in Rural (RU), Dublin Mountain (HA-DM), Liffey Valley (HA-LV) and Dodder Valley (HA-DV) areas will include the stipulation that the house must be first occupied as a place of permanent residence by the applicant and / or by members of his / her immediate family, for a minimum period of seven years or such other longer period of time as is considered appropriate.*

#### 6.9.7 Rural Housing and Extension Design

##### *Policy H23: Rural Housing and Extension Design*

*Ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.*

##### *H23 Objective 1:*

*Ensure that all new rural housing and extensions within areas designated within Zoning Objectives Rural (RU), Dublin Mountain (HA-DM), Liffey Valley (HA-LV) and Dodder Valley (HA-DV);*

- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and*
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and*
- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; and*
- Retains and reinstates (where in exceptional circumstance retention cannot be achieved) traditional roadside and field boundaries; and*
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and*
- Would comply with the EPA's Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent less than 10) 2021 except where planning permission was granted prior*

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*to 7th June 2021 in which case the EPAs Code of Practice Wastewater Treatment Systems Serving Single Houses 2009 applies; and*

*- Would not create or exacerbate ribbon or haphazard forms of development.*

*Chapter 10 Energy*

*Section 10.2 Energy Measures*

*Policy E3 Energy Performance in Existing and New Buildings*

*Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)*

*Policy IE3: Surface Water and Groundwater*

*Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.*

*Chapter 12 Implementation and Monitoring*

*Section 12.3 Natural, Cultural and Built Heritage*

*Section 12.3.1 Appropriate Assessment*

*Section 12.3.3 Environmental Impact Assessment*

*12.6.9 Rural Housing*

*Rural Housing Design*

*- A comprehensive site analysis and character appraisal should be submitted with all applications for houses and extensions in rural and high amenity zones (see also Section 12.2.1 Landscape Character Areas, High Amenity and Sensitive Landscapes, and Section 12.2.2 Ecological Protection of this Chapter and Chapter 3, section 3.4.3). The analysis and appraisal should provide a rationale for the design and siting of the proposed development including form, building finishes, height, and massing based on the local and natural context. Such development should generally be low rise. The shape and form of residential development in rural and high amenity areas, including roof structures, should be compact and simple with external building finishes that reflect the local character of the area including vernacular buildings and traditional building materials. Dormer extensions should be minimised and should not obscure the main features of a roof.*

*- A minimum road frontage of 60 metres should be provided for all new dwelling sites in rural areas and a proliferation of housing along stretches of road in a manner that creates ribbon development should be avoided.*

*- Dwellings and extensions should not be located on a ridgeline or in an elevated position in the landscape. The natural slope and landcover of sites should be retained, with an appropriate tree and hedgerow planting scheme that utilises and augments indigenous planting. Traditional field and roadside boundaries, including old stone boundary walls and hedgerows, should be retained or reinstated as much as possible demonstrating how green infrastructure has been implemented (SOUTH DUBLIN COUNTY DEVELOPMENT PLAN 2022-2028 Implementation and*

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*Monitoring (IM) considered (see Chapter 4: Green Infrastructure). Sustainable Urban Drainage measures should also be incorporated.*

*- Driveway and parking areas provide sufficient area for car parking and turning on site and should follow the natural slope and contours of the site with appropriate permeable materials. Large hard paved surfaced area circling the housing should be avoided. Modern gateways, piers and boundary walls should be avoided with the exception of the retention and reinstatement of traditional stone boundary walls. In highly scenic locations, applicants may be required to leave driveways only roughly surfaced to give a natural appearance.*

### *Section 13.5.8 Residential Consolidation*

#### *Extensions*

*The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.*

***The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.***

### **Relevant Government Guidelines**

***Project Ireland 2040 National Planning Framework***, Government of Ireland (2018).

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

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

***Sustainable Rural Housing Development Guidelines*** - Sustainable Rural Housing Guidelines for Planning Authorities (2005).

### **Assessment**

The main issues for assessment are

- Zoning and Council policy,
- Residential and Visual amenity
- Drainage
- Roads
- Environmental Health
- An Taisce
- Heritage
- Parks
- Green Infrastructure

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- Appropriate Assessment
- Environmental Impact Assessment

### **Zoning**

A development consisting of the relocation of an existing entrance door and provision of an open porch to a front elevation, demolition of an existing single storey extension and construction of a new single storey extension to the rear and the replacement of an existing septic tank with a new secondary waste water treatment system is 'Open for Consideration' under zoning objective 'RU' – 'To protect and improve rural amenity and to provide for the development of agriculture.', and as such would potentially be allowable subject to the relevant provisions in the County Development Plan **2022-2028**.

### **Council Policy**

*Rural Housing Design (12.6.9 Rural Housing)*

*- A comprehensive site analysis and character appraisal should be submitted with all applications for houses and extensions in rural and high amenity zones (see also Section 12.2.1 Landscape Character Areas, High Amenity and Sensitive Landscapes, and Section 12.2.2 Ecological Protection of this Chapter and Chapter 3, section 3.4.3). The analysis and appraisal should provide a rationale for the design and siting of the proposed development including form, building finishes, height, and massing based on the local and natural context. Such development should generally be low rise. The shape and form of residential development in rural and high amenity areas, including roof structures, should be compact and simple with external building finishes that reflect the local character of the area including vernacular buildings and traditional building materials. Dormer extensions should be minimised and should not obscure the main features of a roof.*

The applicant has provided a site analysis and character appraisal for the application site and the information submitted is consistent with the requirements of the South Dublin County Development Plan 2022-2028 and is therefore **acceptable**.

*- A minimum road frontage of 60 metres should be provided for all new dwelling sites in rural areas and a proliferation of housing along stretches of road in a manner that creates ribbon development should be avoided.*

The application is for an extension of an existing dwelling therefore, the proposed development is **acceptable** in this regard.

*- Dwellings and extensions should not be located on a ridgeline or in an elevated position in the landscape. The natural slope and landcover of sites should be retained, with an appropriate tree and hedgerow planting scheme that utilises and augments indigenous planting. Traditional field and roadside boundaries, including old stone boundary walls and hedgerows, should be retained or reinstated as much as possible demonstrating how green infrastructure has been implemented (SOUTH DUBLIN COUNTY DEVELOPMENT PLAN 2022-2028 Implementation and*

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*Monitoring (IM) considered (see Chapter 4: Green Infrastructure). Sustainable Urban Drainage measures should also be incorporated.*

The application site is relatively flat, and the proposed extension sits to the rear of the existing dwelling and below the prevailing ridge height and is therefore **acceptable**. Furthermore, there is no changes to the roadside boundary which is **appropriate**.

*- Driveway and parking areas provide sufficient area for car parking and turning on site and should follow the natural slope and contours of the site with appropriate permeable materials. Large hard paved surfaced area circling the housing should be avoided. Modern gateways, piers and boundary walls should be avoided with the exception of the retention and reinstatement of traditional stone boundary walls. In highly scenic locations, applicants may be required to leave driveways only roughly surfaced to give a natural appearance.*

The proposed development does not incorporate any changes to the boundary walls or parking areas and therefore the proposed development is **acceptable**.

**The proposed development is consistent with the Rural Housing Design (12.6.9 Rural Housing) requirements of the South Dublin County Development Plan.**

### *Residential and Visual Amenity*

#### *Rear Extension*

The proposed development includes the demolition of an existing rear extension with a pitched roof with a ridge height of approximately 4.6m. The extension was connected to the main dwelling via a small corridor and is annotated as a crafts room on the submitted existing plans and is the demolition of same is considered **appropriate**.

The proposed replacement rear extension will come directly off the rear wall of the existing dwelling and have a flat roof with a parapet and an approximate ridge height of 3.6m. The proposed development would not lead to any overlooking, loss of aspect or overshadowing and is therefore **acceptable subject to conditions**.

**The materials proposed match that of the existing and overall, the proposed rear extension would not be injurious to the visual or residential amenities of the area.**

#### *Front Porch*

The proposed front porch will create an intersecting pitch at the front of the dwelling thus creating an open canopy with a depth of 900mm is **acceptable**. The proposed new main entrance door is sympathetic to the existing development which is **appropriate**.

#### *Replacement of the existing septic tank with a new secondary wastewater treatment system*

The proposed new wastewater treatment system and decommissioning of the existing septic tank has been reviewed by the Environmental Health Officer and is considered acceptable subject to **conditions** in the event of a grant of permission.



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### ***Drainage***

No report was received from Water Services. Irish Water maps indicate that the proposed development would not be located within an unacceptable distance of any existing Irish Water infrastructure. Given the nature and scale of the development, **conditions** should be attached regarding SuDS and the proposed wastewater treatment system.

### ***Roads***

No report from the Roads Department was received at the time of writing but there are no changes to the access etc and therefore the proposed development is **acceptable**.

### ***Environmental Health***

The Environmental Health Officer had no objections to the proposed development subject to **conditions** in the event of a grant of permission which is considered **appropriate**, and the following report was received:

*The above development is **acceptable** to this office subject to the following conditions:*

### ***Noise***

*1. To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that :*

*The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours*

- Before 07.00 hours on weekdays, Monday to Friday*
- Before 09.00 hours on Saturdays.*
- After 19.00 hours on weekdays, Monday to Friday.*
- After 13.00 hours on Saturdays.*
- Not permitted at any time on Sundays, Bank Holidays or Public Holidays.*

*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.*

### ***Wastewater Treatment***

*2. The proposed wastewater treatment systems shall be located, installed and operated in accordance with the details submitted to the Planning Authority on 14/09/2022 and in accordance with the requirements of the Code of Practice on Wastewater Treatment and Disposal Systems serving Single Houses issued by Environmental Protection Agency 2009.*

*Reason: In the interest of public health.*

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*4. A maintenance contract for the lifetime of the treatment system shall be entered into with the suppliers of the wastewater treatment system or with an appropriate maintenance firm. Documentary evidence of an on-going maintenance agreement shall be submitted to the Planning Authority within 4 weeks of the installation of the wastewater treatment system. Reason: In the interest of public health in order to ensure adequate drainage provision.*

*5. Within three months of the first occupation of the house, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the wastewater treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner, and that the polishing filter and/or percolation area is constructed in accordance with the requirements of the Code of Practice on Wastewater Treatment and Disposal Systems serving Single Houses issued by Environmental Protection Agency 2009. Reason: In the interest of public health in order to ensure adequate drainage provision.*

*6. The existing septic tank shall be decommissioned, emptied and made safe. Reason: In the interest of public health and amenity.*

### ***An Taisce***

A report was received from An Taisce which confirmed the requirement of the Planning Authority to assess the proposed development in line with the South Dublin County Council Development Plan which is appropriate.

### ***Heritage***

No report was received from the Heritage Officer but given the scale of the proposed development on an established site, no additional conditions are required to be attached in the event of a grant of permission.

### ***Parks***

The report received from the Parks Department noted that they have no comments or objections to the proposed development and this is considered appropriate given the size and scale of the development.

### ***Green Infrastructure***

The subject application provides for a relatively small increase in the footprint of the subject house on a site in a rural area. The site is located within the Primary Corridor Rural Fringe Corridor 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).

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Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development 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 the rural area and comprises of the relocation of an existing entrance door and provision of an open porch to a front elevation, demolition of an existing single storey extension and construction of a new single storey extension to the rear and the replacement of an existing septic tank with a new secondary wastewater treatment system.

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.

### *Environmental Impact Assessment (EIAR)*

Having regard to the modest nature of the 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.

### *Development Contributions*

<b>Planning Reference Number</b>	SD22B/0418
<b>Summary of permission granted &amp; relevant notes:</b>	Relocation of an existing entrance door and provision of an open porch to a front elevation, demolition of an existing single storey extension and construction of a new single storey extension to the rear and the replacement of an existing septic tank with a new secondary wastewater treatment system. Total area of works 38 sqm.
<b>Are any exemptions applicable?</b>	Yes
<b>If yes, please specify:</b>	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
<b>Is development commercial or residential?</b>	Residential

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<b>Standard rate applicable to development:</b>	104.49
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€104.49
<b>Area of Development (m2)</b>	38
<b>Amount of Floor area, if any, exempt (m2)</b>	40
<b>Total area to which development contribution applies (m2)</b>	0
<b>Total development contribution due</b>	No contribution

### Conclusion

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028 and the overall design and scale of the proposed development, it is considered that, subject to the **conditions** set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with 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.

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### SECOND SCHEDULE

#### 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. The proposed wastewater treatment systems shall be located, installed and operated in accordance with the details submitted to the Planning Authority on 14/09/2022 and in accordance with the requirements of the Code of Practice on Wastewater Treatment and Disposal Systems serving Single Houses issued by Environmental Protection Agency 2009.  
REASON: In the interest of public health.
3. A maintenance contract for the lifetime of the treatment system shall be entered into with the suppliers of the wastewater treatment system or with an appropriate maintenance firm. Documentary evidence of an on-going maintenance agreement shall be submitted to the Planning Authority within 4 weeks of the installation of the wastewater treatment system.  
REASON: In the interest of public health in order to ensure adequate drainage provision.
4. Within three months of the first occupation of the house, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the wastewater treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner, and that the polishing filter and/or percolation area is constructed in accordance with the requirements of the Code of Practice on Wastewater Treatment and Disposal Systems serving Single Houses issued by Environmental Protection Agency 2009.  
REASON: In the interest of public health in order to ensure adequate drainage provision.
5. The existing septic tank shall be decommissioned, emptied and made safe.  
REASON: In the interest of public health and amenity

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6. (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.

(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.

(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 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-

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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.

### 7. Sustainable Urban Drainage Systems (SuDS)

The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. Prior to the commencement of development, the applicant is required to submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development, including as follows:

a) The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:

- Rain Gardens , Planter boxes with overflow connection to the public surface water sewer.
- Permeable Paving
- Grasscrete
- Green Roofs,
- Rain gardens
- Swales
- Permeable Paving
- Grasscrete

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- Channel Rills
  - Planter Boxes water butts
- b) The proposed car parking area shall be constructed using a permeable surface such as Permeable Paving, Grass Paving or Porous Asphalt as part of SuDS (Sustainable Drainage System).

REASON: In the interest of providing suitable SuDS measures

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.



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**REG. REF. SD22B/0418**

**LOCATION: Westwinds, Loughton Lower, Newcastle, Dublin**

  
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**Colm Harte,**  
**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:** 07/11/22\_\_\_\_\_

  
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**Gormla O'Corrain,**  
**Senior Planner**