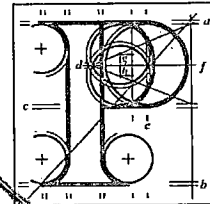
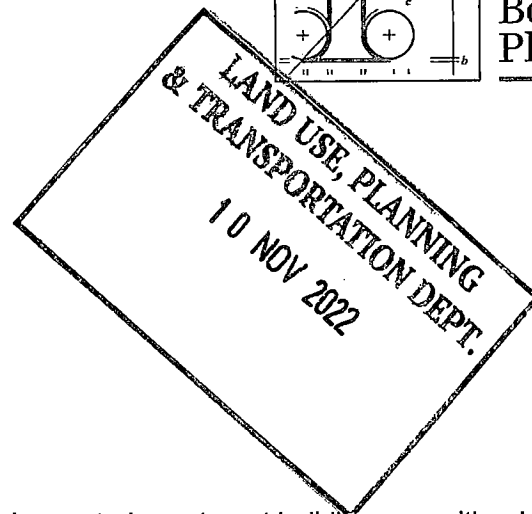


**Our Case Number:** ABP-315043-22

**Planning Authority Reference Number:** SD22A/0126



**An  
Bord  
Pleanála**



South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24

**Date:** 09 November 2022

**Re:** Internal and external modifications to previously granted apartment buildings, resulting in a 6 unit increase within development  
Junction of Grange Road, Nutgrove Avenue and Loreto Terrace Rathfarnham, Dublin , 14.

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

**Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.**

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

- (i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,
- (ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,
- (iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,
- (iv) a copy of the notification of decision given to the applicant,
- (v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,
- (vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

Teil	Tel	(01) 858 8100
Glaao Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhride	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

- (vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of reply and documents (if any) submitted in response to such requests,
- (viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority,
- (ix) a copy of any notices to prescribed bodies/other authorities and any responses to same,
- (x) a copy of any exemption application/certificate within Part V of the 2000 Act, (as amended), applies,
- (xi) a copy of the minutes of any pre-planning meetings.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items by signing the certification on page 3 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above, please supply the following:- Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development in near proximity. "History" documents should include;

- a) Certified Manager's Order,
- b) the site location, site layout maps, all plans and
- c) particulars and all internal reports.
- d) details of any extensions of time given in respect of previous decisions.

**Copies of I-plan sheets are not adequate.**

Where your records show that a decision was appealed to the Board, it would be helpful if you would indicate the Board's reference.

Submissions or observations by the planning authority.

4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered, and where none have been validly received, the Board may determine the appeal without further notice to you.

**Contingency Submission**

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development / Supplementary Development Contributions) including any special condition which might be appropriate under section 48(2)(c) of the Act. Any such contingency submission, in circumstances which your authority decided to refuse permission, would be without prejudice to your authority's main submission in support of its decision.

<b>Tel</b>	<b>Tel</b>	(01) 858 8100
<b>Glaó Áitiúil</b>	<b>LoCall</b>	1890 275 175
<b>Facs</b>	<b>Fax</b>	(01) 872 2684
<b>Láithreán Gréasáin</b>	<b>Website</b>	www.pleanala.ie
<b>Riomhphost</b>	<b>Email</b>	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Brian Cleary & Lorraine Madden  
13 Loreto Terrace  
Rathfarnham  
Dublin 14  
D14 V050

AN BORD PLEANÁLA	
DG-	058885-22
P.	
07 NOV 2022 o.k	
Fee: €	220
Type:	cash
Time:	
By:	hand

The Secretary  
An Bord Pleanála,  
64 Marlborough Street  
Dublin 1  
D01 V902

6<sup>th</sup> November 2022

**PLANNING REFERENCE: SD22A/0126**

**Location:** Lands at the junction of Grange Road, Nutgrove Avenue and Loreto Terrace, Rathfarnham, Dublin 14

**AN BORD PLEANALA APPEAL REFERENCE:  
(THIRD PARTY APPEAL)**

To whom it may concern,

We are writing to appeal against the above decision by South Dublin County Council to grant planning permission to First Step Homes Ltd. for **Proposed Development:** Modifications to previously granted SD18A/0053 consisting of external and internal alterations to previously granted development of 2 three-storey buildings (linked at first and second floor levels), increase in area to (total of 6077.2sq.m gross floor area (including one basement level of 1,922sq.m gross floor area) accommodating 38 apartments, including alterations proposed to the previously permitted unit mix, resulting in an overall increase of 6 units in total, i.e. from 2 one-bed; 28 two-bed; 2 three-bed (32 units) to now provide 6 Studio; 9 one bed; 23 two-bed (38 units); no additional floor is proposed, building remains at 3 storeys in height. Increase in the number of car parking spaces from 40 to 44 at basement level (no change to parking on Loreto Terrace). No change is proposed to SuDS, drainage, landscaping or site development works as granted under Reg. Ref. SD18A/0053.

We set out below our names & address and note that a written observation to the planning authority **PLANNING REFERENCE: SD22A/0126** was submitted to South Dublin County Council during the observation period. Please find enclosed receipt acknowledgement of submission for our observation from South Dublin County Council Planning Authority dated 31 May 2022 and the required third-party appeal fee of €220.

Brian Cleary & Lorraine Madden  
13 Loreto Terrace  
Rathfarnham  
Dublin 14  
D14 V050

## Grounds for Appeal:

### 1. Building height

The application drawings indicate an increase in parapet height fronting onto Loreto Terrace (SW elevation) by **432mm** (from previously granted level of **+59.85M** to a proposed level of **+60.282M**). We note and contest that the previously granted parapet height fronting onto Loreto Terrace is **+59.85M**, and **not** **+ 60.361M** for what is currently granted (which differs from that stated on the proposed south-west elevation which fronts onto Loreto Terrace).

It is important to note that this proposed increase in height has **not described** in the planning notice. We understand that this omission should have provided sufficient **grounds for invalidation** of application SD22A/0126. This matter should also be of particular significance as other neighbours were not notified of this aspect of the proposed development through the site notice and written description.

We also note that previous planning grant issued by An Bord Pleanala (Reg ref: SD18A/0053) Condition 8 stipulates that

*'No additional development shall take place at roof level including any lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunications aeriels, antennas or equipment, unless authorised by a further grant of planning permission.'*

This matter is of significant concern to us especially as owners of the property directly opposite the proposed development. Our home forms part of a terrace of dormer bungalows.

We already consider the previous grant (SD18A/0053) to be an overly monolithic in design and the scale of its current granted form will also clearly have a significantly overbearing impact on our privacy at both bedroom & living levels. Our house building line would merely be approx. 17m opposite.

This is also in the context of what is an existing quiet residential road predominately comprising two-storey or dormer bungalow detached, semi-detached and terraced dwellings that will suffer direct overlooking into bedroom & living accommodation of existing dwellings.

### 2. Building finishes

We are concerned about the **depletion in the standard of external finishes** which had already become morphed through the process of submission for final approval under the current planning grant (Reg ref: SD18A/0053), e.g previously granted timber/aluminium glazed doors and windows to uPvc as described in SD22A/0126; and also previously granted external brickwork to a mix of brick slip panelling and painted render as described in SD22A/0126.

In particular, we are of the opinion that an external render finish at high level would be inappropriate especially due to the likelihood of future staining through weathering in what is a prominent and exposed landmark junction and what would be of high public profile.

We request that consideration be made to a reversion to the original materials palette.

..

**Conclusion**

We consider that the validity of the planning application and development should be in breach of acceptable planning requirements given its failure to describe a proposed increase in parapet height.

In the context of the above matters, we request that the permission be refused or conditioned on foot of this appeal, on the basis that the proposed development will have an adverse impact on the residential and architectural amenity of our neighbourhood & properties.

We trust that this appeal shall be found in our favour.

In support of our appeal, we have enclosed the following:

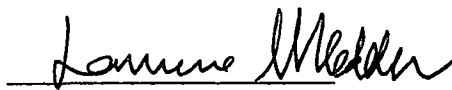
- copy of receipt of our observation submission to South Dublin County Council
- copy of Notification of Decision to Grant Permission issued by South Dublin County Council
- copy of Notification received by us of Decision to Grant Planning issued by South Dublin County Council
- Planning appeal checklist form

This appeal is also accompanied with the correct third-party appellant fee of €220.

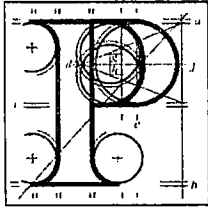
Yours faithfully,



Brian Cleary



Lorraine Madden



An  
Bord  
Pleanála

## Planning Appeal Form

---

### Your details

**1. Appellant's details (person making the appeal)**

Your full details:

(a) Name

Brian Cleary & Lorraine Madden

(b) Address

13 Loreto Terrace, Rathfarnham, Dublin 14 D14  
V050

### Agent's details

**2. Agent's details (if applicable)**

If an agent is acting for you, please **also** provide their details below. If you are not using an agent, please write "Not applicable" below.

(a) Agent's name

Not applicable

(b) Agent's address

Not applicable

## Postal address for letters

3. During the appeal we will post information and items to you or to your agent. For this appeal, who should we write to? (Please tick ✓ one box only.)

You (the appellant) at the address in Part 1

The agent at the address in Part 2

## Details about the proposed development

4. Please provide details about the planning authority decision you wish to appeal. If you want, you can include a copy of the planning authority's decision as the appeal details.

**(a) Planning authority**

(for example: Ballytown City Council)

South Dublin County Council

**(b) Planning authority register reference number**

(for example: 18/0123)

SD22A/0126

**(c) Location of proposed development**

(for example: 1 Main Street, Baile Fearainn, Co Ballytown)

Junction of Grange Road, Nutgrove Avenue & Loreto Terrace

## Appeal details

5. Please describe the grounds of your appeal (planning reasons and arguments). You can type or write them in the space below or you can attach them separately.

Please see attached 'Grounds for Appeal'



## Supporting material

6. If you wish you can include supporting materials with your appeal.

Supporting materials include:

- photographs,
- plans,
- surveys,
- drawings,
- digital videos or DVDs,
- technical guidance, or
- other supporting materials.

## Acknowledgement from planning authority (third party appeals)

7. If you are making a third party appeal, you **must** include the acknowledgment document that the planning authority gave to you to confirm you made a submission to it.

## Fee

8. You **must** make sure that the correct fee is included with your appeal. You can find out the correct fee to include in our Fees and Charges Guide on our website.

## Oral hearing request

9. If you wish to request the Board to hold an oral hearing on your appeal, please tick the “yes, I wish to request an oral hearing” box below.

Please note you will have to pay an **additional non-refundable fee** of €50. You can find information on how to make this request on our website or by contacting us.

If you do not wish to request an oral hearing, please tick the “No, I do not wish to request an oral hearing” box.

**Yes, I wish to request an oral hearing**

**No, I do not wish to request an oral hearing**

NALA has awarded this document its Plain English Mark

Last updated: April 2019.



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

**Telephone: 01 4149000**

**Fax: 01 4149104**

**Email: [Planningdept@sdblincoco.ie](mailto:Planningdept@sdblincoco.ie)**

**Brian Cleary & Lorraine Madden  
13, Loreto Terrace  
Rathfarnham  
Dublin 14**

**Date: 31-May-2022**

Dear Sir/Madam,

**Register Ref:** SD22A/0126

**Development:** Modifications to previously granted SD18A/0053 consisting of external and internal alterations to previously granted development of 2 three-storey buildings (linked at first and second floor levels), increase in area to (total of 6077.2sq.m gross floor area (including one basement level of 1,922sq.m gross floor area) accommodating 38 apartments, including alterations proposed to the previously permitted unit mix, resulting in an overall increase of 6 units in total, i.e. from 2 one-bed; 28 two-bed; 2 three-bed (32 units) to now provide 6 Studio; 9 one-bed; 23 two-bed (38 units); no additional floor is proposed, building remains at 3 storeys in height. Increase in the number of car parking spaces from 40 to 44 at basement level (no change to parking on Loreto Terrace). No change is proposed to SuDS, drainage, landscaping or site development works as granted under Reg. Ref. SD18A/0053.

**Location:** Junction of Grange Road, Nutgrove Avenue and Loreto Terrace Rathfarnham, Dublin , 14.

**Applicant:** First Step Homes Ltd.

**Application Type:** Permission

**Date Rec'd:** 28-Apr-2022

I wish to acknowledge receipt of your submission in connection with the above planning application. The appropriate fee of €20.00 has been paid and your submission is in accordance with the appropriate provisions of the Planning and Development Regulations 2001(as amended). The contents of your submission will be brought to the attention of the Planning Officer during the course of consideration of this application.

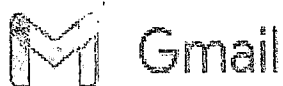
This is an important document. You will be required to produce this document to An Bord Pleanála if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website, [www.sdblincoco.ie](http://www.sdblincoco.ie).

You may wish to avail of the Planning Departments email notification system on our website. When in the **Planning Applications** part of the Council website, [www.sdublincoco.ie](http://www.sdublincoco.ie), and when viewing an application on which a decision has not been made, you can input your email address into the box named **"Notify me of changes"** and click on **"Subscribe"**. You should automatically receive an email notification when the decision is made. Please ensure that you submit a valid email address.

**Please note:** If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full contents of a planning application.

Yours faithfully,

M. Furney  
for **Senior Planner**



Brian . <brian@studiomarchitects.ie>

**Receipt No. : T4/0/706997**

1 message

Tracy O'Reilly <tracyoreilly@sdublincoco.ie>

Mon, May 30, 2022 at 10:09 AM

To: "brian@studiomarchitects.ie" <brian@studiomarchitects.ie>

Cc: LUPT - Planning Submissions <planningsubmissions@sdublincoco.ie>

Payments Office

South Dublin County Council

County Hall, Tallaght, Dublin 24.

Phone 4149121

Monday to Thursday 9:00am to 4:00pm

Friday 9:00am to 3:30pm

30/05/2022 10:09:14

Receipt No. : T4/0/706997

SD22A/0126

Brian Cleary

PLANNING OBJECTION FEE            20.00

GOODS                                    20.00

VAT Exempt/Non-vatable

Total :                                    20.00 EUR

15.75 IEP

Tendered :

30/05/2022, 12:32

Studio M Architects Mail - Receipt No. : T4/0/706997

Credit Card/Laser 20.00

Visa

\*\*\*\*\*5368

10/22

Change : 0.00

Issued By : Tracy O Reilly

From : Tallaght Lodgement Area 4.

Vat reg No.IE9509808P

Tracy O'Reilly | Clerical Officer | Debtor Management |

Finance Department | South Dublin County Council | County Hall, Tallaght, Dublin 24 |

Ext 2126 | 01-4149000 |

Web: [www.sdcc.ie](http://www.sdcc.ie)

Email: [tracyoreilly@sdblincoco.ie](mailto:tracyoreilly@sdblincoco.ie)



Comhairle Contae  
Átha Cliath Theas  
South Dublin County Council



Comhairle Contae  
Átha Cliath Theas  
South Dublin County Council

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you have received this electronic message in error, please notify the sender or [info@sdblincoco.ie](mailto:info@sdblincoco.ie). This message has been swept by Anti-Virus software.

Is eolas faoi rún an t-eolas atá sa ríomhphost seo agus d'fhéadfadh go mbeadh sé faoi phribhléid ó thaobh an dlí de. Is don té ar seoladh chuige/chuici agus dósan/dise amháin an t-eolas. Ní ceadmhach do dhuine ar bith eile rochtain a bheith aige/aici ar an ríomhphost seo. Murar duit an ríomhphost seo tá nochtadh, cóipeáil, dáileadh ná aon ghníomh eile a dhéanamh nó aon ghníomh eile a fhágáil gan déanamh ar iontaoibh an ríomhphoist seo toirmiscithe ort agus d'fhéadfadh siad sin a bheith neamhdhleathach. Má fuair tú an teachtaireacht leictreonach seo trí earráid téigh i dteagmháil, le do thoil, leis an té a sheoíl í nó le [info@sdblincoco.ie](mailto:info@sdblincoco.ie). Glanadh an teachtaireacht seo le bogearraí Frithvíreas.

Land Use, Planning & Transportation Department  
Telephone: 01 414 9000

Fax: 01 414 9104

Comhairle Contae Átha Cliath Theas  
South Dublin County Council  
An Rannóg Talamhúsaíde, Pleanála agus Timpair  
Email: [planning.dept@sdblincoco.ie](mailto:planning.dept@sdblincoco.ie)

Brian Cleary & Lorraine Madden  
13 Loreto Terrace  
Rathfarnham  
Dublin 14

Date: 17-Oct-2022

Dear Sir/Madam,

**Register Ref. No:** SD22A/0126  
**Development:** Modifications to previously granted SD18A/0053 consisting of external and internal alterations to previously granted development of 2 three-storey buildings (linked at first and second floor levels), increase in area to (total of 6077.2sq.m gross floor area (including one basement level of 1,922sq.m gross floor area) accommodating 38 apartments, including alterations proposed to the previously permitted unit mix, resulting in an overall increase of 6 units in total, i.e. from 2 one-bed; 28 two-bed; 2 three-bed (32 units) to now provide 6 Studio; 9 one bed; 23 two-bed (38 units); no additional floor is proposed, building remains at 3 storeys in height. Increase in the number of car parking spaces from 40 to 44 at basement level (no change to parking on Loreto Terrace). No change is proposed to SuDS, drainage, landscaping or site development works as granted under Reg. Ref. SD18A/0053.  
**Location:** Junction of Grange Road, Nutgrove Avenue and Loreto Terrace Rathfarnham, Dublin, 14.  
**Applicant:** First Step Homes Ltd.  
**App. Type:** Permission  
**Date Rec'd:** 16-Sep-2022

I wish to inform you that by Order dated 13-Oct-2022 it was decided to **GRANT PERMISSION** for the above proposal.

This decision together with the conditions/reasons attached to the decision is recorded in the Planning Register kept at this office in accordance with Article 7 of the Planning & Development Act 2000.

This Register may be inspected during office hours 9.00 a.m. – 4.00 p.m. and interested parties may obtain a certified copy of an entry therein on payment of a fee of €9.00 in respect of each entry. Alternatively, the information can be accessed on-line at [www.sdblincoco.ie](http://www.sdblincoco.ie) by selecting “**Planning Applications**” and conducting a search using available information such as the Planning Application number, Applicant Name or Location. Scanned planning files can be downloaded at this site.

It should be noted that any person who made a submission within 5 weeks of the date of receipt of the application by the Planning Authority and which was accompanied by the appropriate fee of €20.00 may appeal to An Bord Pleanála against the decision or any conditions attached to the Council's decision **within 4 weeks** beginning on (and including) the date of the Council's decision.

Interested parties are advised to consult An Bord Pleanala to ascertain if an appeal has been lodged by the applicant.

In cases where the Planning Authority is notified of an appeal having been lodged, this information is published on a weekly basis on the Council's website [www.sdublincoco.ie](http://www.sdublincoco.ie), under the heading "*Weekly Lists*".

All appeals against decisions of the Planning Authority and all correspondence in relation to new and existing appeals should be addressed to The Secretary, An Bord Pleanala, 64 Marlborough Street, Dublin 1 (Tel. 8588100 – LoCall: 1890 275 175).

Any appeal made to An Bord Pleanala will be invalid unless it is fully complete and the correct fee is received by An Bord Pleanala within the statutory appeal period. The fee in respect of an appeal by an applicant for permission relating to commercial development is €1,500; unauthorised commercial development is €4,500; other unauthorised development €660; any other appeal is €220.

Submissions or observations made to An Bord Pleanala by or on behalf of a person (other than the applicant) as regards an appeal made by another person must be accompanied by a fee of €50 and must be received within four weeks from and including the date of the receipt of the appeal by An Bord Pleanala.

Yours faithfully,

*M. Crowley*  
for Senior Planner



Paul Moran,  
CDP Architecture  
4, The Mall Street  
Lucan Village  
Lucan  
Co. Dublin  
K78 V9R6

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

<b>Decision Order Number:</b>	<b>1295</b>	<b>Date of Decision:</b>	<b>13-Oct-2022</b>
<b>Register Reference:</b>	<b>SD22A/0126</b>	<b>Date:</b>	<b>16-Sep-2022</b>

**Applicant:**

First Step Homes Ltd.

**Development:**

Modifications to previously granted SD18A/0053 consisting of external and internal alterations to previously granted development of 2 three-storey buildings (linked at first and second floor levels), increase in area to (total of 6077.2sq.m gross floor area (including one basement level of 1,922sq.m gross floor area) accommodating 38 apartments, including alterations proposed to the previously permitted unit mix, resulting in an overall increase of 6 units in total, i.e. from 2 one-bed; 28 two-bed; 2 three-bed (32 units) to now provide 6 Studio; 9 one bed; 23 two-bed (38 units); no additional floor is proposed, building remains at 3 storeys in height. Increase in the number of car parking spaces from 40 to 44 at basement level (no change to parking on Loreto Terrace). No change is proposed to SuDS, drainage, landscaping or site development works as granted under Reg. Ref. SD18A/0053.

**Location:**

Junction of Grange Road, Nutgrove Avenue and Loreto Terrace  
Rathfarnham, Dublin , 14.

**Floor Area:**

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

**Additional Information Requested/Received:**

22-Jun-2022, 10-Aug-2022

**Clarification of Additional  
Information Requested/Received:**

14-Jul-2022, 16-Sep-2022

**DECISION TO:** Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, 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 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

**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 condition(s) set out hereunder is thereby in accordance with the proper planning and sustainable development of the area.

**SECOND SCHEDULE**

**Conditions and Reasons:**

1. Development to be in accordance with submitted plans and details.  
(A) 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 14th July 2022, and Clarification of Further Information received on 16th September 2022, save as may be required by the other conditions attached hereto.  
(B) The permitted development under this permission shall accommodate 37 no. residential units.  
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Duration of permission.  
(a) This permission shall expire upon the expiry of permission Reg. Ref. SD18A/0053, subject to any extension thereof.  
(b) The conditions attached to the permission referenced in part (a) shall apply, save as may be required by conditions attached hereto or where amended as per the description of this development.  
Reason: To specify the date on which the permission shall expire and clarify the conditions attached to the development and to ensure that the permission is tied to the parent permission.
3. Diversion of Water Infrastructure.  
Prior to commencement of development the applicant shall have obtained agreement for proposed diversion of surface water sewer from South Dublin County Council in writing.  
Reason: To protect public services and public health.
4. Council Housing Strategy.  
The applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations

1997:

(i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2016-2022, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and

(ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.

REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2022 - 2028.

5. Building Lifecycle Report and Material Treatments.

Prior to commencement, the applicant shall have obtained the written agreement of South Dublin County Council to a Building Life Cycle Report, updated with final proposed specifications relating to building materials and methods.

REASON: To ensure the quality and value of proposed materials.

6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €272,990.57 (Two Hundred and Seventy-Two Thousand, Nine Hundred and Ninety Euro, and Fifty-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 2000-2021 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

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 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.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

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: 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; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014, the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

*Pamela Hughes*  
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*for Senior Planner*

14-Oct-2022