

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0149 **Application Date:** 12-Apr-2022
Submission Type: Additional **Registration Date:** 20-Oct-2022
Information

Correspondence Name and Address: Robert Reilly 19, Birchview Avenue, Dublin 24

Proposed Development: Construction of a new single storey, pitched roof, home office and games room (44.9sq.m) and all associated site works to the rear garden.

Location: 19, Birchview Avenue, Dublin 24

Applicant Name: Robert Reilly

Application Type: Permission

Description of Site and Surroundings:

Site Area

Stated as 0.0279 Hectares.

Site Description

The application site is located within the established residential area known as Birchview and contains a semi-detached two storey dwelling. The surrounding streetscape of Birchview is generally characterised by semi-detached two storey dwellings of similar appearance and form. The subject site is located towards the northern end of a small row of semi-detached dwellings which have a slightly staggered front building line.

The subject site is bound to the north by Birchview Avenue, to the west by No. 20 Birchview Avenue, to the south and east by public open space and the Greenhills Road.

Proposal:

Permission is being sought for the following:

- Provision of a single storey pitched roof structure in the rear garden of the existing dwelling which is comprised of a games room, home office and a toilet with an approximate Gross Floor Area of 44.9 sq.m.
- The single storey structure has an approximate width of 6.725m, a length of 8.35m and a pitched roof profile with 3 No. rooflights and an eaves height of approximately 2.35m and a ridge height of 3.85m.
- The west and north elevations of the proposed single storey structure are blank, the east elevation contains 3 No. windows, and the west south elevation contains a door and a window.
- All ancillary site works above and below ground.

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

Zoning:

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity' in the South Dublin County Development Plan 2016-2022.

Consultations:

Drainage and Water Services Section:	Additional Information required.
Irish Water:	Additional Information required.
Roads Section:	No objection.

SEA Sensitivity Screening

No overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

Submission expiry date – 16th May 2022 - No submissions or objections received.

Relevant Planning History

None recorded for subject site.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

Relevant Policy in South Dublin County Council Development Plan 2016 – 2022

Section 2.4.1 Residential Extensions

Policy H13 Private and Semi-Private Open Space

- It is the policy of the Council to ensure that all dwellings have access to high quality private open space (incl. semi-private open space for duplex and apartment units) and that private open space is carefully integrated into the design of new residential developments.

Policy H14 Internal Residential Accommodation

- It is the policy of the Council to ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

Policy H17 – Residential Consolidation:

- It is the policy of the Council to support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

Policy H18 Residential Extensions

- It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Policy H18 Objective 2:

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

Section 8.0 Green Infrastructure

Policy G1 Overarching

Policy G1 Green Infrastructure Network

Policy G3 Watercourses Network

Policy G4 Public Open Space and Landscape Setting

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 11.2.7 Building Height

Section 11.3.1 Residential

Section 11.3.1 (iv) Dwelling Standards

Section 11.3.1 (v) Privacy

Section 11.3.2 Residential Consolidation

(iii) Backland Development

- *Development that is in close proximity to adjoining residential properties should be limited to a single storey, to reduce overshadowing and overlooking.*

Section 11.3.3 Additional Accommodation

Section 11.3.3 (I) Extensions

Section 11.4.2 Car Parking Standards

Table 11.24 Maximum Parking Rates (Residential Development)

Section 11.4.4 Car Parking Design and Layout

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.2 Appropriate Assessment

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

South Dublin County Council House Extension Design Guide (2010)

The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on side extensions:

Elements of Good Extension Design:

- *'Respect the appearance and character of the house and local area;*
- *Provide comfortable internal space and useful outside space;*
- *Do not overlook, overshadow or have an overbearing affect on properties next door;*
- *Consider the type of extension that is appropriate and how to integrate it; and*
- *Incorporate energy efficient measures where possible.'*

Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019).

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

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

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

Planning Note

Article 23(1)(c) of the Planning and Development Regulations 2001 (as amended) states that:

'The site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate'

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

The Existing and Proposed Site Layout Plan shown on Drawing No. L_(00)_PA do not include levels or contours of the land and the proposed structures relative to Ordnance Survey datum. In this regard, the Applicant should be requested to provide a revised Existing and Proposed Site Layout Plan accurately showing the levels/contours of the subject site and proposed structure. These revised drawings should be requested by way of ADDITIONAL INFORMATION.

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Vehicular Access and Parking;
- Drainage and Water Services;
- Environmental Impact Assessment;
- Appropriate Assessment Screening.

Zoning and Council Policy

Residential development is in principle consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. A structure to the rear of the existing dwelling is ancillary to the main residential use, it is considered to be permissible in principle under this zoning objective, subject to the proposal being in accordance with the relevant provisions of the South Dublin County Council House Extension Design Guide 2010 and the South Dublin County Development Plan 2016-2022.

The potential physical impact of the proposed development on the visual and residential amenity of the subject site, adjoining properties and surrounding streetscape is further assessed throughout this Report.

Visual Amenity

The proposed development is comprised of a single storey pitched roof structure in the rear garden of the existing dwelling which is comprised of a games room, home office and a toilet with an approximate Gross Floor Area of 44.9 sq.m. The structure has an approximate width of 6.725m, a length of 8.35m and a pitched roof profile with 3 No. rooflights and an eaves height of approximately 2.35m and a ridge height of 3.85m.

The proposed structure is located approximately 3.5m to the southeast of the main dwelling and directly abuts the party boundary with No. 20 Birchview Avenue. There is a 2m high boundary wall between the rear gardens of the subject site and No. 20 Birchview Avenue. Having regard to the eaves height of approximately 2.35m and a ridge height of 3.85m, the new structure will have a significant visual impact on the neighbouring property. In relation to the potential for overbearing impact, the South Dublin House Extension Design Guide notes that:

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

*'Do not overlook, overshadow or have an overbearing affect on properties next door...
...Locate extensions, particularly if higher than one storey, away from
neighbouring property boundaries. As a rule of thumb, a separation distance of
approximately 1m from a side boundary per 3m of height should be achieved'.*

Having regard to the above and in the interests of reducing the potential visual impact of the proposed structure, it is considered that the Applicant should re-design the proposed development to lessen the potential impact. This can be achieved through measures including but not limited to a reduction in the proposed height, increased separation distance to the party boundary and the adoption of a flat roof profile. The Applicant should be requested to submit **ADDITIONAL INFORMATION** demonstrating the re-design of the proposal, in the form of a complete set of revised Site Layout Plan, cross sectional, elevational and plan drawings.

Residential Amenity

As a full set of existing floor plans has not been provided with the Planning Application, it is unclear how many bedrooms are contained within the existing dwelling. Given the size of the ground floor and the fenestration pattern at first floor level, it is a reasonable assumption that the dwelling contains either three or four bedrooms.

Table 11.20 of the Development Plan indicates that 60 sq.m is the minimum Private Open Space provision for a 3 No. bedroom house, rising to 70 sq.m for a 4 No. bedroom house. It would appear from the Proposed Site Layout Plan that adequate Private Amenity Space would remain should permission be Granted for the Proposed Development. However, clarification should be sought from the Applicant regarding the number of bedrooms in the existing dwelling, to confirm that sufficient Private Amenity Space is provided in line with the requirements outlined in Table 11.20 of the Development Plan. This clarification can be provided by way of a request for **ADDITIONAL INFORMATION** consisting of a complete set of existing Floor Plans for the dwelling.

The Application does not state that the proposed structure shall be operated as a separate dwelling to the main dwelling. According to the floorplans provided with the Planning Application, the structure contains a home office, games room and a toilet. As such, it would appear that the proposed structure is not intended for use as a dwelling. However, should permission be granted for the proposed development, a **CONDITION** should be attached ensuring that the structure cannot be utilised as a dwelling without the benefit of appropriate permission being obtained in a separate Planning Application. To ensure the building is not used for habitable purposes a **CONDITION** should also be imposed omitting the toilet.

Vehicular Access and Parking

According to the plans and particulars submitted by the Applicant, there will be no change to the existing vehicular entrance and the car parking arrangements to the front of the existing dwelling.

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

A report received from the Roads Department indicates that they have no objections to the proposed development.

Drainage and Water Services

The Report of the Drainage and Water Services Department indicates the following ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development:

- The applicant has not submitted surface water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdublincoco.ie
- The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant is required to submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features to manage additional surface water run-off from the proposed development.

The Report of Irish Water indicates that the following ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development:

- The applicant has not submitted foul water drainage plans for the proposed development. The applicant is required to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

Environmental Impact Assessment

Having regard to the modest nature of the proposed 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.

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 an established residential area and comprises provision of a single storey structure containing a games room, toilet and a home office. 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.

Conclusion

Having regard to the 'RES' land-use zoning of the area, the relevant policies and objectives of the South Dublin County Development Plan 2016 – 2022 and the recommendations and the South Dublin House Extension Design Guide 2010 it is considered that ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development.

Recommendation

I recommend that ADDITIONAL INFORMATION be requested from the applicant with regard to the following:

1. The Applicant is requested to re-design the proposed development to reduce the impact on the residential amenity of the adjoining properties specifically No. 20 Birchview Avenue. This can be achieved through measures including but not limited to a reduction in the proposed height, increased separation distance to the party boundary and/or the adoption of a flat roof profile. The Applicant is requested to submit a complete set of revised Site Layout Plan, cross sectional, elevational and plan drawings showing the revised design of the proposed structure.
2. The Applicant is requested to address the following deficiencies in the plans and particulars provided:

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

- (i) The Existing and Proposed Site Layout Plans shown on Drawing No. L_(00)_PA do not include levels or contours of the land and the proposed structures relative to Ordnance Survey datum. In this regard, the Applicant is requested to provide a revised Existing and Proposed Site Layout Plan accurately showing the levels/contours of the subject site and proposed structure.
 - (ii) Existing floor plans of the existing dwelling are required to facilitate a complete assessment of the Private Amenity Space provision remaining should the proposed structure be granted.
3. The Applicant is requested to provide the following information to facilitate a complete assessment of the proposed development:
 - (i) The applicant is required to submit a drawing showing existing and proposed surface water and foul drainage layouts up to and including the point of connection to the public surface water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow. The drawing shall clearly show that the foul and surface water systems are discharging to separate pipe networks. Maps of the mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: servicemaps@sdblincoco.ie Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.
 - (ii) The applicant is required to submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features to manage additional surface water run-off from the proposed development.
4. The applicant is requested to fully justify the need for a detached structure of this scale in the rear garden. The applicant is advised that the Planning Authority has concerns in relation to the impact of the proposal on the adjoining neighbour and considers that the c8.3 m depth of the structure adjoining the common boundary is unacceptable. The applicant is requested to consider a reduction in the scale of the structure and consider if some of the floorspace/ uses could be accommodated as an extension to the dwelling.

Additional Information

Additional Information was requested on 6th June 2022.

Additional Information was received on 20th October 2022.

The Additional Information received was not deemed to be significant, as such the Applicant was not required to erect a Site Notice or publish a Newspaper Notice.

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

Submissions/Observations

No submissions / observations received.

Assessment

The following Additional Information was received from the Applicant on 20th October 2022:

- Letter of Response dated 4th October 2022.
- Drawing No. D17190-F – Topographical Survey.
- Drawing No. L_(02)_PA-Additional Information – Site Plans; Floor Plans; Contiguous Elevations & Site Selection prepared by Quinn Architectural Design Services.
- Irish Water Web Map.

The Additional Information provided by the Applicant will be assessed below in the context of the 4 No. items of Additional Information requested by the Planning Authority on 6th June 2022:

Additional Information Item No. 1

In response to Additional Information Item No. 1, the Applicant has revised the design of the proposed single storey structure as follows:

- The maximum overall height of the structure has been reduced from 3.85m to 3m, with the roof profile amended from a pitched roof to a flat roof.
- The structure has been re-located away from the party boundary with No. 20 Birchview Avenue, providing a separation distance of approximately 2.33m to the party wall.
- The scale of the proposed structure has been reduced with the revised structure measuring approximately 7.15m in length and 6m in width. As a result of these revisions the gross floor area of the structure has reduced from 44.9 sq.m to 33.6 sq.m.

Overall, it is considered that the Applicant has satisfactorily responded to Additional Information Item No. 1 and that the revisions to the proposed structure reduce the potential adverse impact on adjoining properties.

It is noted that there is 1 No. window in the western (side) elevation of the structure. However, as this window is associated with the toilet, it is considered appropriate that should the Planning Authority be minded to Grant Permission for the proposed development, a **CONDITION** should be attached requiring opaque glazing to be applied to this window.

Whilst the revised Proposed Site Layout Plan and design of the single storey structure is generally acceptable, concerns remain in relation to the potential for the structure to operate as independent dwelling. As such, should the Planning Authority be minded to Grant Permission

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

for the proposed development, a **CONDITION** should be attached ensuring the existing dwelling and proposed single storey structure are not leased, operated or sold separately to the main dwelling.

Additional Information Item No. 2

Drawing No. L_(02)_PA-Additional Information – Site Plans; Floor Plans; Contiguous Elevations & Site Selection prepared by Quinn Architectural Design Services includes levels relative to OS datum and floor plans of the existing dwelling.

According to the Existing and Proposed Site Layout Plans provided by the Applicant, the proposed development would result in the reduction of the rear amenity space associated with the dwelling to approximately 102 sq.m. This would be in compliance with Table 3.20 of the South Dublin County Development Plan 2022-2028.

Having regard to the revised drawings provided by the Applicant, it is considered that Additional Information Item No. 2 has been successfully addressed.

Additional Information Item No. 3

In response to Additional Information Item No. 3, the Applicant has provided Drawing No. and an Irish Water Web Map. The Letter of Response dated 4th October 2022 outlines the following response to Additional Information Item No. 3:

'A water butt system will be used to harvest rainwater collected from the flat roof of the proposed development. Excess/overflow from the water butt system will be distributed to a land drain area to the southern grass area'.

It is considered that the Applicant has successfully addressed Additional Information Item No. 3 and that, should the Planning Authority be minded to Grant Permission for the proposed development, standard drainage and water services infrastructure **CONDITIONS** should be applied.

Additional Information Item No. 4

In response to Additional Information Item No. 4, the following justification is provided by the Applicant in the Letter of Response dated 4th October 2022:

'The 8.3m depth of the structure has been reduced by 1.2m to 7.1m and relocated away from the common boundary. The justification for a detached structure is to accommodate an adult member of the family returning to Ireland having been working abroad. The nature of this employment requires interaction and communication abroad, in varying time zones and as such is considered a disruption to the regular activities of the main house if accommodated as an extension to the dwelling. The scale of the proposed structure has been reduced from 44.9 sq.m to 33.6 sq.m.'

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

It is considered that the revised design of the proposed development would reduce the potential adverse impact on adjoining properties. Whilst the justification for the proposed structure is noted and is considered an acceptable response to Additional Information Item No. 4, a concern remains that the structure could potentially be operated as a separate independent dwelling. As such, should the Planning Authority be minded to Grant Permission for the proposed development, it is considered appropriate to attach a **CONDITION** ensuring the existing dwelling and proposed single storey structure are not leased, operated or sold separately to the main dwelling.

Other Considerations

Development Contributions

Development Contributions	
Planning Reference Number	SD22B/0149
Summary of permission granted & relevant notes:	Construction of a new single storey, pitched roof, home office and games room (44.9sq.m) and all associated site works to the rear garden.
Are any exemptions applicable?	Yes.
If yes, please specify:	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.
Is development commercial or residential?	Residential
Standard rate applicable to development:	104.49
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m2)	33.6
Amount of Floor area, if any, exempt (m2)	40
Total area to which development contribution applies (m2)	0
Total development contribution due	€0.00

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

SEA Monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential (new dwelling)	33.6 sq.m
Land Type	Site Area (Ha)
Brownfield / Urban Consolidation	0.0279 Ha

Conclusion

Having regard to the Additional Information provided by the Applicant and the policies outlined in the South Dublin County Development Plan 2022-2028, the South Dublin County House Extension Design Guide (2010), it is considered that, subject to conditions, the proposed development generally adheres to the key policies, objectives and guidance and would not be contrary to 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.

SECOND SCHEDULE

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, and as amended by Further Information received on 20th October 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. External Finishes.

All external finishes shall harmonise in colour and texture with the adjoining dwelling at No. 19 Birchview Avenue.

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

REASON: In the interest of visual amenity.

3. Prior to the commencement of development the Applicant is required to submit for the written agreement of the Planning Authority amended plan, elevational and sectional drawings demonstrating the application of the following amendments:

(i) The omission of the toilet from the single storey structure.

(ii) The application of opaque glazing to the window in the western (side) elevation.

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

4. The house and the proposed single storey structure shall be jointly used as a single dwelling unit for residential purposes only and shall not be sub-divided or used for any commercial purposes, and the single storey structure 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

5. (a) 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.

- (b) 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.

- (c) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

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.

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.

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

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.

Comhairle Chontae Atha Cliath Theas

PR/1434/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0149

LOCATION: 19, Birchview Avenue, Dublin 24



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: 16/11/22



Gormla O'Corrain,
Senior Planner