

Comhairle Chontae Atha Cliath Theas

PR/1453/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0426 **Application Date:** 26-Sep-2022
Submission Type: New Application **Registration Date:** 26-Sep-2022

Correspondence Name and Address: Michael Carroll 1, Glenherbert, Dargle Road, Bray, Co. Wicklow

Proposed Development: Convert Attic with Rooflights to the front and rear and with gable window to provide window to provide window to side at ground floor level to retain widening of vehicular access at front and to retain and complete outhouse under construction at rear together with connection to all services and associate site works

Location: 11, St. Patricks Road, Walkinstown, Dublin 12

Applicant Name: Stephen Rossiter

Application Type: Permission and Retention

Description of Site and Surroundings:

Site Area: stated as 0.028 hectares on application form.

Site Description:

The subject site is located on St Patricks Road residential street in Walkinstown. St Patricks Road is located off of St James Road. The subject dwelling is a two-storey end of terrace dwelling with a pitched roof profile. The front garden/amenity area consists of a vehicular entranceway, almost the full width of the site which is subject to this application through retention. The driveway to the front elevation of the dwelling consists of a permeable paving cobbled finish. A side access lane on the side elevation leads to the rear of the site. The side lane way is repeated for the dwelling located to the east of the site which is also an end of terrace unit. The rear garden contains open space and a semi constructed outhouse to the rear of the site. The outhouse structure is the width of the site and located on the boundary to the rear which contains a rear access laneway to the dwellings on St Patricks Road. The laneway is wide enough for vehicular access and several properties have garages/sheds opening onto the laneway.

The surrounding streetscape is characterised by dwelling houses of similar style and appearance and uniform building line. The street itself contains on-street parking with a wide concrete footpath with some mature trees.

Evidence of entrance/driveway widening and the construction of in-curtilage carparking in front garden areas is evident in the surrounding and immediate streetscape. Rooflights are also evident in the immediate vicinity.

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Proposal:

The proposed development consists of the following:

- Convert Attic with Rooflights to the front and rear,
- Gable window to side of attic room,
- Provide gable window to side at ground floor level,
- Retain widening of vehicular access at front,
- Retain and complete outhouse under construction at rear together with connection to all services and associate site works.

Zoning:

The subject site is subject to zoning objective 'RES' - 'To protect and/or improve Residential Amenity'.

Consultations:

Water Services/Drainage -	No report received at time of writing.
Parks Section -	No objection/comments
Roads -	No objections subject to conditions

SEA Sensitivity Screening - No overlap indicated on SEA mapping tool.

Submissions/Observations /Representations:

Submission expiry date – 1/11/2022

No submissions or observations were received.

Relevant Planning History:

Subject Site:

None identified on APAS.

Adjacent sites:

SD06B/0201 - 17, St. Patrick's Road, Greenhills, Dublin 12.

Single storey extension attached to rear of house with pitched and hipped roof and convert attic to storage area with dormer window to rear.

Grant Permission.

SD18B/0113 - 116, St. Peter's Road, Walkinstown, Dublin 12. (Street to the rear)

Attic conversion with dormer to rear and new vehicular entrance and driveway to front.

Grant Permission.

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SD08B/0187 - 33, St. Patrick's Road, Greenhills, Dublin 12.

Demolition of existing garage with vehicular access to laneway and construction of new garage with vehicular access to laneway.

Grant Permission.

Relevant Enforcement History:

None identified for subject site on APAS.

Pre-Planning Consultation:

None identified on APAS for subject site.

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

6.8.2 Residential Extensions

Policy H14: Residential Extensions 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).

Policy G11: Overarching

G11 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.

G12 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.

G14 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.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

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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 12.5.8 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.

Infill Sites

A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes

12.6.7 Residential Standards

Table 3.20: Minimum Standards for Housing

Section 12.7.6 Car Parking Design and Layout

In-Curtilage Parking

In-curtilage car parking will be considered to the front of the house for lower density residential development (40 dwellings per hectare or below), subject to:

- Sufficient measures to promote a self-regulating street environment;*
- Adequate plot widths to enable the planting of materials which have a low-level screening effect;*
- The provision of conveniently located on-street parking for visitors.*

Widening of Driveways to Accommodate In-Curtilage Parking

Proposals to widen driveways to accommodate in-curtilage parking will be considered having regard to the following:

- A width of 3.5m between gate pillars shall not normally be exceeded. This is for reasons of pedestrian safety and visual amenity and to retain on-street parking spaces;*
- Proposals to widen driveways that would result in the removal of, or damage to, a street tree will not generally be permitted and where permitted must be mitigated;*
- Where a hard surface is proposed to accommodate parking in a front garden area, permeable paving shall be used, in the interest of sustainable drainage.*

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National Guidelines & Policy relevant to Development Management

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

The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on attic conversions/driveway modifications:

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.*

For attic conversions and dormer windows:

- *Use materials to match the existing wall or roof materials of the main house;*
- *Meet Building Regulation requirements relating to fire safety and stairs in terms of headroom on stairs and means of escape;*
- *Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch;*
- *Locate dormer windows as far back as possible from the eaves line (at least 3 tile courses);*
- *Relate dormer windows to the windows below in alignment, proportion and character;*
- *In the case of a dormer window extension to a hipped roof, ensure it sits below the ridgelines of the existing roof and matches the materials used in the main house.*

Driveways

- *Try to maintain a minimum driveway length of 6m.*
- *Permeable gravel on parking areas will allow natural drainage to occur*

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Relevant Government Guidelines

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

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

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

Assessment

The main issues for assessment relate to:

- Zoning and Council policy
- Residential and Visual Amenity
- Roads
- Parks
- Green Infrastructure
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

A development comprising of the conversion of an attic with rooflights to the front and rear, gable windows to the side, retention of widening of vehicular access at front and retention and completion of outhouse under construction to the rear of site would be consistent in principle with zoning objective 'RES' – 'To protect and/or improve residential amenity', subject to the relevant provisions in the County Development Plan **2022-2028** and the House Extension Design Guide.

Residential and Visual Amenity

Attic conversion with roof lights to front and rear

The proposed development will include attic conversion with roof lights to the front and rear. The attic conversion would provide 25.17sqm of internal space at attic/roof level comprising of an attic room and toilet with a maximum internal height of 2.4m at ridge/apex level with the ceiling height reducing significantly following the ridge line of the roof. The attic is currently accessed by means of an attic trapdoor, but this is proposed to be changed by the addition of an access stairway to roof level with fire protection. The construction of a stairway to serve the attic room does not provide an issue to the planning authority provided it meets building requirements. This can be ensured in the event of a grant in permission by **note**. No dormer window structure is proposed for the attic room however, 4 rooflights are proposed. 2 on the front elevation which are proposed to be located in line with each other creating a consistent

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appearance and satisfactory symmetry for the benefit of visual amenity of the building. 3 further rooflights are proposed on the rear elevation of the roof. 2 rooflights would be in similar location and appearance to those proposed on the front elevation and are deemed acceptable as is the third window which would be located lower in the roof for escapes purposes. All rooflights would be set in from the attached property to the west and the gable wall on the east roof edge and would be set below the ridge height of the existing roof by approximately 100mm and approximately 1m from the eaves height which is considered in keeping with the South Dublin County Council House Extension Guide (2010). The proposal would not create an unacceptable level of overlooking and would not adversely impact residential amenity of the area.

Gable window to side of attic room and to side at ground floor level

The subject application proposes the addition of two new windows in the side elevation of the dwelling. The side elevation which serves a rear access laneway is separated by c2.3m to the neighbouring dwelling and a rear access laneway. No side elevation/gable windows are provided in the neighbouring dwelling No.13 St Patricks Road which could have been subject to overlooking. Having regard to the proposed application and drawings submitted, it is considered that the installation of the two windows in the east facing side gable of the existing dwelling; one at ground floor level to provide light to an existing utility room and one at attic/roof floor level to provide light to the stairway/landing area of the attic room, would not adversely impact significantly on the visual or residential amenity of the site itself or on adjacent properties by reason of overlooking, overshadowing or overbearing. The application drawings do not indicate that obscure glazing would be installed to the ground floor level window. It is also considered appropriate to install obscure glazing to the landing and ground floor window in accordance with the South Dublin County Council House Extension Design Guide, 2010. This can be addressed by **condition**,

Retention of widening of vehicular access at front

The applicant is seeking retention for the widening of vehicular access to the site. The current access has been increased to 5.1m in width which is almost the full width of the site to the front. The applicant is proposing to maintain a widened driveway, however, construct new wall and pillars to match existing to create a proposed vehicular access of 4.6m. Section 12.7.6 Car Parking Design and Layout, 'Widening of Driveways to Accommodate In-Curtilage Parking' in Chapter 12 of the South Dublin County Development Plan 2022-2028, states that a width of 3.5m between gate pillars shall not normally be exceeded. In this instance it is deemed appropriate that the 3.5m in width be exceeded owing to the precedent widths which are apparent in the surrounding streetscape. The entrance/driveway would exceed the minimum driveway length of 6m as required by the South Dublin County Council House Extension Guide (2010). The driveway would remain above this with a length of c9.6m.

It is noted that the accessway is across a public footpath and the roads department have no objections to the retention of widened entrance subject to **conditions**. Having reviewed the submitted plans and noted the precedents which has been set in the surrounding local and

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immediate area with numerous full width vehicular access points similar to that of the subject site, it is not envisaged that the retention of the development will materially alter the character of the dwelling or impact on the visual amenity of the area.

Retention and completion of outhouse under construction at rear

A 41.47sqm outhouse which is currently under construction to the rear of the site is proposed for retention under the subject application. The outhouse is proposed to be C7.4m in length (almost full width of rear boundary wall to rear laneway) X C6.4m in depth and a pitched roof height of 4.3m. The proposed outhouse would accommodate a home office area and home gym area. A toilet with shower area is also proposed. The outhouse is proposed to be accessed by two separate doors on the front elevation of the outhouse. The outhouse is currently under construction and blockwork has reached a height of 2.7m in the applicant's garden and 3.2m from the rear laneway. It is evident that the height of the development at present is at the higher end of heights achieved for garage/shed units currently constructed/developed on the rear gardens of adjoining dwellings and those in the surrounding area. The principal of a home office/gym is acceptable in the building, however, given the size and scale of the proposed development, it would have a negative impact on the visual amenity and a significantly overbearing impact on the access lane located on the boundary wall of the outhouse and the neighbouring dwellings if the proposed outhouse would be completed as proposed by the applicant.

The completion of the outhouse to include a pitched roof would increase the height of the existing development by c1m. The retention of the existing blockwork is deemed acceptable however, the applicant on grant of permission is requested by **condition** to omit the pitched roof profile and submit plans for approval by the planning authority of a flat roof to the outhouse at the height of the existing blockwork.

The retention of the proposed outhouse in the rear garden would allow for 62.42sqm of private open space which would be in accordance with table 3.20: Minimum Standards for Housing in Section 12.6.7 Residential Standards of the SDCC Development Plan 2022-2028.

In summary, the proposed development is considered to comply with the guidance set out in the South Dublin County Council Development Plan 2022-2028 and the South Dublin County Council House Extension Design Guide (2010) and would have an acceptable impact, subject to conditions in terms of residential and visual amenity.

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Roads

The roads department have reviewed the subject application and have no objections subject to **conditions** submitted in the following report:

No Roads objections subject to the following conditions:

1. *The vehicular access points shall be limited to a width of 3.5 meters.*
2. *The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.*
3. *Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.*
4. *Any gates shall open inwards and not out over the public domain.*
5. *All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.*

It is noted that condition 5, is not an enforceable condition and condition 1 is deemed appropriate to be exceeded by 1.1m in this instance. Notwithstanding this, the other **conditions** as indicated by the Roads Section are deemed appropriate be attached in the event of a grant of permission.

Parks

The public realm department of the council have reviewed the application and have no objection to the development.

Green Infrastructure

The subject application provides for a relatively small increase in the footprint of the subject house/outhouse on an established suburban residential site. The site is not located close to a Primary GI Corridor, or a Secondary GI Link 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).

Given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required.

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Screening for Appropriate Assessment (AA)

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 of the conversion of an attic with rooflights to the front and rear, gable windows to the side, retention of widening of vehicular access at front and retention and completion of outhouse under construction to the rear of site.

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.

Screening for 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

Previous extension	30.257sqm
Proposed works	66.64sqm
Subject to retention	41.47sqm
Non habitable works	<u>25.17sqm</u>
Total assessable	41.47sqm

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Planning Reference Number	SD22B/0426
Summary of permission granted & relevant notes:	Convert Attic with Rooflights to the front and rear, Gable window to side of attic room, Provide gable window to side at ground floor level, Retain widening of vehicular access at front, Retain and complete outhouse under construction at rear together with connection to all services and associate site works. Previous extension evident - 30.257sqm, 66.64sqm proposed - non habitable, 41.47 sqm retention (Outhouse)
Are any exemptions applicable?	No
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)	66.64
Amount of Floor area, if any, exempt (m2)	25.17
Total area to which development contribution applies (m2)	41.47
Total development contribution due	€4,333.20

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SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential – Outhouse, attic storage room	66.64sqm
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.028

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 & Grant Retention 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 in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Amendments - Glazing.
The following amendment to the design shall be carried out:
The ground floor and roof level window on the side gable elevation shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity.

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REASON: In the interest of residential amenity.

3. Amendments.

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

Revised plans that incorporate all of the following amendments-

(a) Revised roof plan omitting the pitched roof profile of the proposed outhouse for the use of a flat roof structure with external wall height not exceeding those constructed for subject application.

Reason: In the interest of proper planning and sustainable development.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

4. (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.

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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-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.

5. 1. The boundary walls at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
2. Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
3. Any gates shall open inwards and not out over the public domain.

REASON: In the interest of public safety.

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5. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

6. **Drainage - Surface Water.**

The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

(a) Fully detailed foul and surface water drainage plans for the proposed development as approved showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or Irish Water,

(b) 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.

(c) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

(d) The soakaway design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance and shall include documented evidence of infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365.

The revised plans shall provide for a soakaway to be located within the curtilage of the property and this shall be:

(i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.

(ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.

(iii) a minimum of 10m from any sewage treatment percolation area.

(iv) at least 10m from any stream / river / flood plain.

In addition only rainwater shall be discharged to soakaways.

REASON: In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

7. **Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €4, 333.20 (Four thousand, three hundred and thirty three euro and twenty cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in

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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 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.

NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

Comhairle Chontae Atha Cliath Theas

PR/1453/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0426

LOCATION: 11, St. Patricks Road, Walkinstown, Dublin 12



**Deirdre Kirwan,
Senior Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission & Grant Retention 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: 21/11/22


**Gormla O'Corrain,
Senior Planner**