

**Robert Fitzpatrick**  
**Suite B**  
**4 Stocking Wood Drive**  
**Rathfarnham**  
**Dublin 16**

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

Final Grant Order No.:	<b>1494</b>	Date of Final Grant:	<b>28-Nov-2022</b>
Decision Order No.:	<b>1324</b>	Date of Decision:	<b>17-Oct-2022</b>
Register Reference:	<b>SD22A/0021</b>	Date:	<b>20-Sep-2022</b>

**Applicant:** Pat Hogan

**Development:** Demolish existing shed in rear garden; construct a two storey, three bedroom detached dwelling in side garden; construct a new driveway for the proposed dwelling including permission from Council to extend the existing dish area of outside footpath; all ancillary site works.

**Location:** 2 Melrose Avenue, Dublin 22

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

**Additional Information Requested/Received:** 21-Mar-2022 / 20-Sep-2022

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

**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 September 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. Irish Water Connection Agreement.  
Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water, or a Diversion Agreement(s), as per Irish Water's requirements.  
REASON: In the interest of public health and to ensure adequate water/wastewater facilities.
3. Drainage - Irish Water.
  - (a) The water supply and drainage infrastructure, shall comply with the requirements of 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.

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.

4. Drainage - Surface Water.

(A) Prior to commencement of development, the applicant shall provide the Planning Authority with design details to show that the proposed SUDs would deal with all run-off from the roof, showing in particular any overflow connections between SUDs features, for written agreement of the Planning Authority.

(B) If proposing a soakaway to, the applicant shall, prior to commencement of development, submit soil percolation test results, design calculations and dimensions to the Planning Authority to demonstrate that the proposed soakaway is feasible in accordance with BRE Digest 365 – Soakaway Design. The applicant is required to submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway to the Planning Authority. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

vi) At least 5m from any building, public sewer, road boundary or structure.

vii) Generally, not within 3m of the boundary of the adjoining property.

viii) Not in such a position that the ground below foundations is likely to be adversely affected.

ix) 10m from any sewage treatment percolation area and from any watercourse / floodplain.

x) Soakaways must include an overflow connection to the surface water drainage network.

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.

5. Roads.

(a) The boundary walls at both 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.

(b) The existing vehicular access point shall be limited to a width of maximum 3.5m wide for the proposed development.

(c) 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.

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

REASON: To protect the amenities of the area, promote pedestrian safety and comfort and to avoid traffic hazard.

6. House Number.

The number of the house shall be 2A, and this number shall be placed on the completed house prior to its occupation in a manner so as to be clearly legible from the public road.

In the event that this number already exists no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

(a) a street name and dwelling/unit number plan to resolve any possible conflict and,

(b) this has been acknowledged as acceptable in writing by the Planning Authority.

Following receipt of an acknowledgement of acceptability, the agreed number / name shall be placed on the completed house prior to occupation in a manner so as to be clearly legible from the public road.

The applicant is advised that the development number or name should

(i) avoid any duplication within the county;

- (ii) reflect the local and historical context of the approved development;
- (iii) comply with Development Plan policy, the guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government,
- (iv) have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and;
- (v) preferably make exclusive use of the Irish language.

The applicant, owner or developer is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required plan.

REASON: In the interests of the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

7. Restriction on Use.

The house shall be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

REASON: To prevent unauthorised development.

8. External Finishes.

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

REASON: In the interest of visual amenity.

9. Occupation subject to service connection.

No dwelling unit shall be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.

REASON: In the interest of the proper planning and sustainable development of the area.

10. 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.

11. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for

Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

#### 12. Existing Street Tree Protection.

Prior to commencement of any works on site, a Bond or bank draft to the value of €3, 000.00 shall be lodged with Planning Authority as a security for the protection of the existing street tree(s) in the grassed margin during the course of the development works.

The release of this bond will be considered a minimum of twelve months after the completion of all site works, at the discretion of the Planning Authority. This will involve assessment of whether the trees specified for retention have been preserved in their prior condition and have suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree protection.

REASON: In the interest of the proper planning and sustainable development of the area, street-tree protection, and the maintenance of the county's green infrastructure.

#### 13. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €9, 195.12 (Nine Thousand, One Hundred and Ninety-Five Euro, and Twelve Cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The 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.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. Please log onto [www.localgov.ie](http://www.localgov.ie) and click on BCMS link.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1: Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

*M. Crowley*

28-Nov-2022

*for Senior Planner*