

Mr. Kevin Tiernan
19 Aranleigh Gardens
Rathfarnham
Dublin 14

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

Final Grant Order No.:	1565	Date of Final Grant:	08-Dec-2022
Decision Order No.:	1355	Date of Decision:	01-Nov-2022
Register Reference:	SD22A/0043	Date:	04-Oct-2022

Applicant: Angela Rooney

Development: An end of terrace, two storey two bed house with pitched roof over with single storey flat roof extension to the rear, to side of existing dwelling; creation of new vehicular access and dished kerb; off-street car parking space.

Location: Plot Adjacent to 11, Neilstown Gardens, Clondalkin, Dublin 22, D22Y602

Time extension(s) up to and including:

Additional Information Requested/Received: 06-Apr-2022, 11-Jul-2022 / 13-May-2022, 04-Oct-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 13th June 2022, Clarification of Further Information received on 11th July 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. 11 Neilstown Gardens, Clondalkin, Dublin 22, D22Y602.
REASON: In the interest of visual amenity.
3. Attic Space Use.
The Applicant has not provide a floor plan showing the proposed layout of the attic level. As such, it is assumed that the attic space shall be used as storage non-habitable space only. In the event that the Applicant wishes to utilise any attic space as a habitable space, appropriate Planning Permission would be required under a separate Planning Application.
REASON: To ensure the development as approved is consistent with the restrictions of the Building Regulations in the interests of public safety and the proper planning and sustainable development of the area.

4. Landscape and Planting Plan

Prior to the commencement of Development, a landscape plan and associated planting plan shall be submitted to the Planning Authority for written agreement. The Landscape Plan shall include details of hard and soft landscaping. The Landscape Plan shall be implemented in full, within the first planting season following completion of the development. Details shall include:

(a) The planting plan shall clearly set out the following:

- i. Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate
 - ii. Implementation timetables.
 - iii. Detailed proposals for the future maintenance/management of all landscaped areas
- (b) Types and dimensions of all boundary treatments.

REASON: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory, in accordance with the policies and objectives contained within the South Dublin County Development Plan 2022-2028.

5. Tree Bond

A tree bond of €1, 500 (one thousand five hundred euros) shall be lodged with the Planning Authority to ensure the protection of the existing street tree located in the grass margin during the course of the development works. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction Arboricultural Assessment, carried out by a qualified arborist and provided that the tree proposed for retention is alive, in good condition with a useful life expectancy.

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 in accordance with the policies and objectives of the South Dublin County Development Plan 2022-2028

6. Tree Protection

In order to ensure the protection of the existing street tree adjacent to the entrance of this proposed development, suitable tree protection fencing should be installed in order to protect the existing tree during construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection area.

REASON: To ensure the safety and well-being of the trees on and adjacent to the subject site that are to remain after building works are completed, in accordance with the policies and objectives of the South Dublin County Development Plan 2022-2028.

7. Irish Water Requirements

(a) Prior to the commencement of development, the Applicant is required to submit for the written agreement of the Planning Authority a drawing showing existing and proposed watermain layout for the proposed development and showing the distance between the proposed development and the existing 6 watermain to the south.

(b) Prior to commencement of development, the Applicant is required to obtain a Confirmation of Feasibility letter from Irish Water regarding the watermain layout and connection. Upon receipt, the Applicant shall submit the Confirmation of Feasibility letter to the Planning Authority for the written agreement.

(c) Prior to the commencement of development, the Applicant is required to obtain a Confirmation of Feasibility letter from Irish Water regarding the wastewater layout and connection. Upon receipt, the Applicant shall submit the Confirmation of Feasibility letter to

the Planning Authority for the written agreement.

(d) All development shall be carried out in compliance with Irish Water Standards, Codes and Practices in relation to water and wastewater.

REASON: To comply with the requirements and standards of Irish Water and in the interests of adequate water supply and wastewater infrastructure.

8. Drainage and Water Services

(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.

(c) The Applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as, but not limited to, Water Butts, permeable paving, grasscrete and Other such SuDS.

(d) All works for this development shall comply with the requirements of 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.

9. Vehicular Access and Parking

(a) Prior to the commencement of development the Applicant shall submit for the written agreement of the Planning Authority a site layout plan demonstrating vehicular access for Nos 11 and 11A Neilstown Gardens.

(b) 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.

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

(d) 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.

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

REASON: In the interests of pedestrian and traffic safety.

10. House Number

The number of the house shall be No. 11A Neilstown Gardens, 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 agreed the house numbering with the Planning Authority.

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

11. 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.

12. 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.

13. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €5, 328.99 (Five Thousand, Three Hundred and Twenty Eight Euro and Ninety Nine 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 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.

14. Permission Required for Class 1 & 3 Exemptions.

Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.

REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

NOTES :

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: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

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: 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.

- (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 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

09-Dec-2022

for Senior Planner