

South Dublin County Council
An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
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**NOTIFICATION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT, 2000 (as amended) AND PLANNING
REGULATIONS THEREUNDER**

Final Grant Order No.:	0587	Date of Final Grant:	12-May-2022
Decision Order No.:	0395	Date of Decision:	28-Mar-2022
Register Reference:	SD22B/0035	Date:	31-Jan-2022

Applicant: Aidan & Caitriona Bird
Development: (1) Construction of single storey rear garden room comprising of a gym and home office; (2) all associated site works
Location: 50, Marian Grove, Rathfarnham, Dublin 14

Time extension(s) up to and including:
Additional Information Requested/Received: /

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

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. Access gate.
The rear access gate opening from the application site onto the Public Open Space (Butterfield Park) shall be removed in its entirety and omitted from all plans associated with the proposed Development. The rear boundary wall shall not include any gate access to the public open space.
REASON: This would be contrary to SDCC BYE-LAWS FOR PARKS AND OPEN SPACES 2011 and would set an unwarranted precedent.

3. Modifications.

Prior to commencement of works, the applicant, developer or land owner shall obtain the written consent of the Planning Authority to revised plans, which shall incorporate all of the following modifications:

(a) The access door to the proposed structure shall be located in the eastern elevation of the structure;

(b) The eastern elevation shall have additional fenestration of such a scale as is necessary to adequately light the interior.

(c) No foul water connection shall be installed and the permitted structure shall not contain a toilet.

REASON: In the interests of proper planning and sustainable development of the area, and to ensure that the structure is not use for seperate habitable accomodation.

4. Restrictions on Use.

The use of the development for residential purposes shall be restricted to a residential use directly associated with the use of the existing house on the site for such purposes, and the structure shall not be sub-divided from the existing house, either by way of sale or letting (including short-term) or otherwise, or used for any commercial purposes or any trade business, or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

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

5. SUDS.

(a) Prior to commencement of development the applicant is shall obtain the written agreement of the Planning Authority (after consultation with SDCC Water Services if necessary) to drawings in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development.

(i) If a soakaway is proposed, the applicant shall submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.

(ii) If a soakaway is proposed, the applicant shall submit a revised drawing showing plan & cross-sectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

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

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

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

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

- 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.

6. Separation of Fould and Surface Water.

The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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, safety, the proper planning and sustainable development of the area.

7. Irish Water Standards.

All development shall be carried out in compliance with Irish Water Standards codes and

practices.

REASON: In the interests of public health, safety, the proper planning and sustainable development of the area.

8. 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.

9. 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.

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.

- (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.


for Senior Planner

13-May-2022