

# Comhairle Chontae Atha Cliath Theas

**PR/0035/23**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22B/0488      **Application Date:** 07-Nov-2022  
**Submission Type:** New Application      **Registration Date:** 07-Nov-2022

**Correspondence Name and Address:** Buckley Partnership Architects 5a, Quinsborough Road, Bray, Co. Wicklow

**Proposed Development:** Conversion of the original garage; Ground floor extension to the rear and side of the original house; First floor extension to the side of the original house; Attic conversion including the provision of a dormer window to the rear slope of the roof; Provision of 2 chimneys, one to the rear of the house and one to the side.

**Location:** 7, Marian Road, Dublin 14

**Applicant Name:** Ann Leonard

**Application Type:** Retention

(BC)

### **Description of Site and Surroundings:**

Site Area: stated as 0.055639 hectares on application form.

### **Site Description:**

The subject site is located on Marian Road in Rathfarnham. The subject property consists of a two storey, semi-detached dwelling with single storey extension to the rear and rear amenity space. The dwelling has a pitched roof profile matching the adjoining dwelling. Rathfarnham shopping centre is located not far from the subject dwelling which is near the Junction of Butterfield Avenue. The area to the south, east and west is largely residential in character. The adjoining semi-detached dwelling No.9 Marian Road has a permitted and constructed side extension similar in appearance and design to that of the subject dwelling. The street itself has mature street trees set in grass verges with footpath.

### **Proposal:**

The proposed development consists of Retention Permission for the following:

- Conversion of the original garage;
- Ground floor extension to the rear and side of the original house;
- First floor extension to the side of the original house;
- Attic conversion including the provision of a dormer window to the rear slope of the roof;
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### **Zoning:**

The subject site is subject to zoning objective 'RES' - 'To protect and/or improve Residential Amenity' under the South Dublin County Council Development Plan 2022-2028.

### **Consultations:**

Surface Water Drainage Section - No report received at time of writing.  
Irish Water - No report received at time of writing.  
Parks Section - No objections/comments  
Roads - No objections.

*SEA Sensitivity Screening* - Indicates no overlap with the relevant environmental layers on the SEA mapping tool.

### **Submissions/Observations /Representations:**

Submission expiry date – 12/12/2022  
No submissions or observations were received.

### **Relevant Planning History:**

#### ***Subject Site:***

None identified on APAS.

#### ***Adjacent sites:***

SD04B/0284 - 3, Marian Road, Rathfarnham, Dublin 14

Retention of extensions and alterations constructed additional to works conforming with planning permission reference P/1541/71.

#### **Grant Permission for Retention.**

SD02B/0340 - 9 Marian Road, Rathfarnham, Dublin 14

Single storey extension to the rear of the existing dwelling comprising of a kitchen/breakfast room and dormer extension to roof at rear.

#### **Grant Permission.**

SD22B/0368 - 2, Marian Road, Rathfarnham, Dublin 14, D14 KX63

Demolition of part of existing garage. Construction of a new single storey extension to side and rear of dwelling. Replacing existing single storey flat roof with pitched roof. Relocating to existing vehicular entranceway, pedestrian access at existing vehicular entrance and associated site works.

#### **Grant Permission.**

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SD16B/0118 - 146, Butterfield Avenue, Dublin 14

Demolition of existing garage; (2) construction of new single storey extension to side and rear of dwelling; (3) construction of new garage to rear garden of dwelling; (4) relocation of existing vehicular entranceway and associated site works.

### **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.*

*GI2 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.*

*GI4 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.*

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*Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)*

*Policy IE3: Surface Water and Groundwater*

*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.*

### **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:

#### Rear Extensions:

- Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.
- Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.
- Make sure enough rear garden is retained

#### 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.

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### Side extensions:

- Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.
- Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.
- Do not incorporate blank gable walls where extensions face onto public footpaths and roads.
- Avoid the use of prominent parapet walls to the top of 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**

***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).

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### **Assessment**

The main issues for assessment relate to:

- Zoning and Council policy
- Residential and Visual Amenity
- Services and Drainage
- 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 the original garage, ground floor extension to the rear and side of the original house, first floor extension to the side of the original house, attic conversion including the provision of a dormer window to the rear slope of the roof and provision of 2 chimneys, one to the rear of the house and one to the side 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***

#### ***Conversion of the original garage:***

The proposed development includes retention permission for the conversion of the original garage to kitchen and dining room. The conversion does not involve the extension of the original footprint of the building rather the internal reconfiguration. A side access passage still remains separating the conversion development building line from the boundary wall with the neighbouring dwelling to the north. The conversion of the garage is not deemed to negatively impact on the residential or visual amenity of the area and is deemed acceptable to the planning authority.

#### ***Ground floor extension to the rear and side of the original house:***

A single storey extension to the side and rear of the existing dwelling is proposed for retention. The extension projects approximately 14.1m from the rear building line of the dwelling in a long narrow type development which shares the boundary with the neighbouring dwelling No.5 to the north, which has a higher matching linear rear extension located along the boundary wall. The extension is approximately 2.5m in width to 3.1m at its widest closest to the main dwelling and accommodates a shed/workshop/utility room and toilet along with partially covering the side passage on the side elevation of the dwelling.

The extension consists of a flat roof with a height of 2.8m reducing to 2.4m for the shed located to the rear of the extension. Five windows are located on the extension which each face the rear amenity space of the subject dwelling. Two access doors are also located on the side elevation

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facing the rear amenity space. The side boundary wall c2m in height of the adjoining dwelling is located c6.8m from the side elevation of the subject extension. The shed and workshop are not habitable rooms and are screened with the boundary wall, thus no significant overlooking or overshadowing is envisaged with the proposed development.

A further element of the rear extension is located directly to the rear building line of the original dwelling. The room is proposed to contain a TV room and has a flat roof profile with height of 2.8m.

Given the extensions siting to the side and rear of the property and the fact the extension is not prominent from the nearby public road or area as stated in Section 4 of the House Extension Design Guide it is considered visually acceptable and will not have an overbearing or negative impact of the surrounding dwellings. The proposed extension would result in sufficient rear garden amenity space which is above the threshold (110sqm for four or more bedroom house) stated in Table 3.20: Minimum Standards for Housing of the South Dublin County Development Plan 2022-2028. This element of the proposal is therefore considered acceptable.

### *First floor extension to the side of the original house;*

A first-floor extension is proposed for retention over the converted garage. The extension with protrudes over the front building line of the garage to match the front building line of the existing dwelling. A support column creating a covered entrance porch is created under. The extension has a pitched roof profile with materials and finishes that match the existing which is keeping with policy in Section 4 of the South Dublin House Extension Design Guide. The extension accommodates two new bedrooms and two w/cs. One large and one smaller window is created on the side elevation which has the possibility to overlook the neighbouring dwelling, however both windows are frosted/opaque in nature therefore prevent any possibility of this and will not have a negative impact of the residential amenity.

### *Attic conversion including the provision of a dormer window to the rear slope of the roof;*

The proposal for the subject dwelling also includes retention permission for the conversion of the attic to a non-habitable storage room and a habitable bedroom. The principal of extending the attic is acceptable. The dormer window appears to be set in c1.1m from the attached property to the south and the gable wall on the northern roof edge. The dormer window protrudes c1.35m from the roof and is set below the ridge height of the existing roof by approximately 100mm and sufficiently from the eaves 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.

It is noted however, that the proposal states that the bedroom located at attic level has a ceiling height of 2.283m and is to be used for habitable use. Building regulations require the minimum ceiling height of 2.4m for a habitable room. This can be dealt with by way of **note** in the event of a grant of permission for retention.

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### *Provision of 2 chimneys, one to the rear of the house and one to the side:*

Two new chimney stacks are proposed as part of the application for retention. The first is located on the exterior wall on the side elevation towards the rear. The second chimney is located on the exterior rear elevation. Both chimneys reach a height of c 7.85m which is below the ridge height of the dwelling house which has a height of 8.33m and are not significantly visible or over dominant from the street and do not lead to a negative impact in terms of residential or visual amenity. The addition of the chimneys stacks will not provide an issue to the local authority and is deemed acceptable.

### *Services and Drainage*

No report was received from Water Services or Irish Water at the time of writing; however, it is deemed appropriate in the event of a grant in permission that standard conditions can be obtained by means of **condition**.

### *Roads*

The roads department of the council have reviewed the application and have stated no objection. The development has no impact on the parking or access of the site as there is sufficient car parking space to cater for the development and therefore the proposed development is deemed acceptable.

### *Parks*

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

### *Green Infrastructure*

The subject application provides for an increase in the footprint of the subject house on an established suburban residential site. It is noted that the site is located within a Primary GI Corridor; No.1 Dodder River Corridor 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, it is deemed appropriate in this instance that the retention of the development will not result in a significant loss of any grassland or permeable surfaces. In this regard, there would be little impact to the existing green infrastructure network and a limited impact in terms of additional runoff from the site and a full GI assessment and plan 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 retention permission for the conversion of the original garage; Ground floor extension to the rear and side of the original house; First floor extension to the side of the original house; Attic conversion including the provision of a dormer window to the rear slope of the roof and Provision of 2 chimneys, one to the rear of the house and one to the side.

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.

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### *Development Contributions*

Proposed works for retention 139.74sqm

Total Assessable **139.74sqm**

<b>Planning Reference Number</b>	<b>SD22B/0488</b>
<b>Summary of permission granted &amp; relevant notes:</b>	Conversion of the original garage; Ground floor extension to the rear and side of the original house; First floor extension to the side of the original house; Attic conversion including the provision of a dormer window to the rear slope of the roof; Provision of 2 chimneys, one to the rear of the house and one to the side. Works for Retention -139.74sqm.
<b>Are any exemptions applicable?</b>	No
<b>If yes, please specify:</b>	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.
<b>Is development commercial or residential?</b>	Residential
<b>Standard rate applicable to development:</b>	119.10
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€119.10
<b>Area of Development (m2)</b>	139.74
<b>Amount of Floor area, if any, exempt (m2)</b>	0
<b>Total area to which development contribution applies (m2)</b>	139.74
<b>Total development contribution due</b>	<b>€16,643.03</b>

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<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Conversion of the original garage; Ground floor extension to the rear and side of the original house; First floor extension to the side of the original house; Attic conversion including the provision of a dormer window to the rear slope of the roof; Provision of 2 chimneys, one to the rear of the house and one to the side.	139.74sqm
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.055639

### **Conclusion**

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028 and the overall design and scale of the proposed retention, it is considered that, subject to the **conditions** set out below, the proposed retention 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 for 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.

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2. (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.

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

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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.

### 3. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €16, 643.03 (Sixteen thousand, six hundred and forty three euro and three 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

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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.

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**REG. REF. SD22B/0488**  
**LOCATION: 7, Marian Road, Dublin 14**



**Deirdre Kirwan,**  
**Senior Executive Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for 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:** 11/01/23



**Gormla O'Corrain,**  
**Senior Planner**