

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

**Reg. Reference:** SD22B/0491      **Application Date:** 09-Nov-2022  
**Submission Type:** New Application      **Registration Date:** 09-Nov-2022

**Correspondence Name and Address:** John Sheehan, Sheehan Planning 44, Balnagowan, Palmerston Park, Dartry, Dublin 6

**Proposed Development:** Part demolition and reconfiguration and extension of an existing family dwelling (c.228sq.m, single-storey (over lower ground floor) to the front and two-storey to the rear) to form a larger (c.485sq.m, up to two-storey over lower ground floor to the front and three-storey to the rear) family home. The overall height (measured to the existing chimney) will remain unchanged; The development includes: the retention of part of the existing dwelling's external fabric with an up to three-storey extension towards the east of the property; internal remodelling including the addition of a first-floor level within the sloped roof to the rear, both with dormer windows to give daylight to the new floor area; The development includes remodelling of house entrance levels to facilitate access by wheelchair and wheelchair adapted vehicles.

**Location:** Killakee Livery Yard, Rathfarnham, Dublin 16, D16TK85

**Applicant Name:** Myriam Kavanagh & Paul O'Brien

**Application Type:** Permission

(COS)

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

Site Area: stated as 0.6 Hectares on the application form.

Site Visit: 21<sup>st</sup> of December 2022.

### **Site Description**

The subject site is located on the eastern side of Killakee Road. The site consists of a detached dwelling with a number of agricultural buildings and yards that lead to agricultural lands to the east of the site. The site slopes down from Killakee Road. There are existing mature trees and hedgerows along the front and side northern boundaries. The site is accessed from Killakee Road, and the drive way leads to a car parking area at the rear of the dwelling. The site is

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

bounded by the Timbertrove Café site to the south, a residential property to the north and agricultural lands to the east.

### **Proposal**

Permission for part demolition and reconfiguration and extension of an existing family dwelling (c.228sq.m, single-storey (over lower ground floor) to the front and two-storey to the rear) to form a larger (c.485sq.m, up to two-storey over lower ground floor to the front and three-storey to the rear) family home.

The overall height (measured to the existing chimney) will remain unchanged; The development includes: the retention of part of the existing dwelling's external fabric with an up to three-storey extension towards the east of the property; internal remodelling including the addition of a first-floor level within the sloped roof to the rear, both with dormer windows to give daylight to the new floor area; The development includes remodelling of house entrance levels to facilitate access by wheelchair and wheelchair adapted vehicles.

### **Zoning**

The subject site is zoned 'RU': *To protect and improve rural amenity and to provide for the development of agriculture* under the South Dublin County Development Plan 2022-2028.

### **Consultations**

Water Services	No report received at the time of writing this report.
Irish Water	Not applicable.
Roads Department	No objections.
Public Realm	No objection subject to conditions.

SEA Sensitivity Screening – the site overlaps with aviation layers.

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

Submissions closed the 13<sup>th</sup> of December 2022. No third party submissions received.

### **Relevant Planning History**

#### ***Subject site***

85A/457 & ABP PL.6.5.69447

Bungalow, septic tank & entrance. Outline permission granted by Planning Authority and ABP.

### **Relevant Enforcement History**

None identified in APAS.

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

### **Pre-Planning Consultation**

Ref. PP063/22

Design proposals include for the part retention of the existing dwelling's external fabric, with extensions towards the east & internal remodelling and the addition of a first-floor level, within the sloped roof to the front and a new sloped roof to the rear, both with dormer window designs to give daylight to this new floor level.

### **Relevant Policy in South Dublin County Council Development Plan 2022 – 2028**

*Policy GI1: Overarching*

*GI1 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.*

*Policy GI2: Biodiversity*

*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.*

*Policy GI4: Sustainable Drainage Systems*

*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.*

*Policy QDP7: High Quality Design – Development General*

*Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.*

*Policy QDP11: Materials, Colours and Textures*

*Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.*

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

*Policy H11: Privacy and Security*

*Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.*

*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 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).*

*H23: Rural Housing and Extension Design*

*Ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.*

*H23 Objective 1:*

*Ensure that all new rural housing and extensions within areas designated within Zoning Objectives Rural (RU), Dublin Mountain (HA-DM), Liffey Valley (HA-LV) and Dodder Valley (HA-DV);*

- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and*
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and*
- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; and*
- Retains and reinstates (where in exceptional circumstance retention cannot be achieved) traditional roadside and field boundaries; and*
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and*
- Would comply with the EPA's Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent less than 10) 2021 except where planning permission was granted prior to 7th June 2021 in which case the EPAs Code of Practice Wastewater Treatment Systems Serving Single Houses 2009 applies; and*
- Would not create or exacerbate ribbon or haphazard forms of development.*

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

### *Policy E3: Energy Performance in Existing and New Buildings*

*Support high levels of energy conservation, energy efficiency and the use of renewable energy sources in new and existing buildings including the retro fitting of energy efficiency measures in the existing building stock in accordance with relevant building regulations, national policy and guidance and the targets of the National and South Dublin Climate Change Action Plans.*

*12.3.1 Appropriate Assessment*

*12.3.2 Ecological Protection*

*12.3.3 Environmental Impact Assessment*

*12.3.5 Landscape Character Assessment*

*12.4.2 Green Infrastructure and Development Management*

*12.6 Housing - Residential Development*

*12.6.7 Residential Standards*

*12.6.8 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.*

*12.6.9 Rural Housing*

### *Rural Housing Design*

*- A comprehensive site analysis and character appraisal should be submitted with all applications for houses and extensions in rural and high amenity zones (see also Section 12.2.1 Landscape Character Areas, High Amenity and Sensitive Landscapes, and Section 12.2.2 Ecological Protection of this Chapter and Chapter 3, section 3.4.3). The analysis and appraisal should provide a rationale for the design and siting of the proposed development including form, building finishes, height, and massing based on the local and natural context. Such development should generally be low rise. The shape and form of residential development in rural and high amenity areas, including roof structures, should be compact and simple with external building finishes that reflect the local character of the area including vernacular buildings and traditional building materials. Dormer extensions should be minimised and should not obscure the main features of a roof.*

*- A minimum road frontage of 60 metres should be provided for all new dwelling sites in rural areas and a proliferation of housing along stretches of road in a manner that creates ribbon development should be avoided.*

*- Dwellings and extensions should not be located on a ridgeline or in an elevated position in the landscape. The natural slope and landcover of sites should be retained, with an appropriate tree and hedgerow planting scheme that utilises and augments indigenous planting. Traditional field*

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

*and roadside boundaries, including old stone boundary walls and hedgerows, should be retained or reinstated as much as possible demonstrating how green infrastructure has been considered (see Chapter 4: Green Infrastructure). Sustainable Urban Drainage measures should also be incorporated.*

*- Driveway and parking areas provide sufficient area for car parking and turning on site and should follow the natural slope and contours of the site with appropriate permeable materials. Large hard paved surfaced area circling the housing should be avoided. Modern gateways, piers and boundary walls should be avoided with the exception of the retention and reinstatement of traditional stone boundary walls. In highly scenic locations, applicants may be required to leave driveways only roughly surfaced to give a natural appearance.*

*12.7.4 Car Parking Standards*

*Table 12.26: Maximum Parking Rates (Residential Development)*

*12.11.1 Water Management*

### **South Dublin County Council House Extension Design Guide (2010)**

The House Extension design guide contains the following guidance on house extensions, including rear 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.*

### **Relevant Government Guidelines**

*Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).*

*Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).*

*Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities, Department of the Environment, Heritage 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, (2009).*

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

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

*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).*

*OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).*

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Landscape Character;
- Access and Parking;
- Green Infrastructure;
- Infrastructure and Environmental Services;
- Environmental Impact Assessment; and
- Appropriate Assessment.

### ***Zoning and Council Policy***

The subject site is zoned 'RU': *To protect and improve rural amenity and to provide for the development of agriculture.* Residential development in accordance with Council policy for residential development in rural areas is Open for Consideration under RU zoning. The proposed development will therefore be assessed in accordance with Council policy, in particular, compliance with Policy H23 and H23 Objective 1 and the South Dublin County Council House Extension Design Guide, 2010.

Policy H23 states:

*H23: Rural Housing and Extension Design*

*Ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.*

# Comhairle Chontae Atha Cliath Theas

PR/0039/23

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

The proposed development is assessed against Council policy H23 Objective 1 as follows:  
*Ensure that all new rural housing and extensions within areas designated within Zoning Objectives Rural (RU), Dublin Mountain (HA-DM), Liffey Valley (HA-LV) and Dodder Valley (HA-DV);*

*- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and*

**The proposed development is for extensions to an existing house. The overall height of the house would remain the same. There are no protected views or prospects in proximity to or facing the site.**

*- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and*

**The house would largely be extended to the rear into a gravelled area. From the submitted drawings the applicant appears to retain existing trees and plants on the site and therefore will not have a significant negative impact on the environment including flora, fauna, soil on the existing site.**

*- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; and*

**No significant changes to the site's contours are proposed. No natural drainage features would be impacted as part of the proposed development.**

*- Retains and reinstates (where in exceptional circumstance retention cannot be achieved) traditional roadside and field boundaries; and*

**From the submitted drawings the applicant appears to retain existing and traditional roadside and field boundaries. The proposal does not affect the existing boundaries.**

*- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and*

**The existing dwelling is over two levels, the top level accessible from the front and the lower floor level with and accessible from the rear. The proposed rear extension would extend into an area already level with the lower level of the existing dwelling. No significant cut and fill are proposed as part of the works.**



# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

*- Would comply with the EPA's Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent less than 10) 2021 except where planning permission was granted prior to 7th June 2021 in which case the EPAs Code of Practice Wastewater Treatment Systems Serving Single Houses 2009 applies; and*

**The applicant states there is an existing septic tank, which has been serviced.**

*- Would not create or exacerbate ribbon or haphazard forms of development.*

**The proposal is for extensions to an existing house. The extension and modifications have been designed to integrate with and complement the existing house. It would not create or exacerbate ribbon or haphazard forms of development.**

Section 12.6.9 Rural Housing of the CDP also sets out the following:

### *Rural Housing Design*

*- A comprehensive site analysis and character appraisal should be submitted with all applications for houses and extensions in rural and high amenity zones (see also Section 12.2.1 Landscape Character Areas, High Amenity and Sensitive Landscapes, and Section 12.2.2 Ecological Protection of this Chapter and Chapter 3, section 3.4.3). The analysis and appraisal should provide a rationale for the design and siting of the proposed development including form, building finishes, height, and massing based on the local and natural context. Such development should generally be low rise. The shape and form of residential development in rural and high amenity areas, including roof structures, should be compact and simple with external building finishes that reflect the local character of the area including vernacular buildings and traditional building materials. Dormer extensions should be minimised and should not obscure the main features of a roof.*

**The applicant has submitted an Architectural Design Report which provides a site analysis and character appraisal. The report provides a rationale for the design and siting of the proposed development, including that the extension is largely to the rear (east) of the house and has been designed as contemporary. The Planning Authority considers that the contemporary design of the extension complements the existing materials and finish of the house. The use of contemporary materials and finishes is largely restricted to the rear and sides of the house with limited interventions to the front of the house. Given the design, form and siting of the proposed dormer extensions, they are considered to be acceptable in this instance.**

*- A minimum road frontage of 60 metres should be provided for all new dwelling sites in rural areas and a proliferation of housing along stretches of road in a manner that creates ribbon development should be avoided.*

# Comhairle Chontae Atha Cliath Theas

PR/0039/23

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

**No changes to the existing road frontage proposed.**

*- Dwellings and extensions should not be located on a ridgeline or in an elevated position in the landscape. The natural slope and landcover of sites should be retained, with an appropriate tree and hedgerow planting scheme that utilises and augments indigenous planting. Traditional field and roadside boundaries, including old stone boundary walls and hedgerows, should be retained or reinstated as much as possible demonstrating how green infrastructure has been considered (see Chapter 4: Green Infrastructure). Sustainable Urban Drainage measures should also be incorporated.*

**The extensions are largely located to the rear of the dwelling and would not alter the overall height of the dwelling. No changes to the site's boundaries are proposed. The proposal would not result in a significant increase in building footprint.**

*- Driveway and parking areas provide sufficient area for car parking and turning on site and should follow the natural slope and contours of the site with appropriate permeable materials. Large hard paved surfaced area circling the housing should be avoided. Modern gateways, piers and boundary walls should be avoided with the exception of the retention and reinstatement of traditional stone boundary walls. In highly scenic locations, applicants may be required to leave driveways only roughly surfaced to give a natural appearance.*

**The applicant has indicated that there is an existing car parking area to the rear of the site. Part of the low wall in the car parking area would be removed to allow for wheelchair accessible vehicle access. No changes to the existing access from Killakee Road are proposed.**

In summary, it is therefore considered that the proposed development complies with Council policy in relation to rural extensions, subject to further assessment in relation to visual and residential amenity, landscape character, access and parking, green infrastructure and services.

### ***Visual and Residential Amenity***

The proposed development would involve the part demolition and reconfiguration and extension of the existing dwelling onsite. The resulting dwelling would be approx. 485sq.m in size, up to two-storey over lower ground floor to the front and three-storey to the rear.

The works would include an up to three-storey extension towards the east (rear) of the property, and internal remodelling including the addition of a firstfloor level within the sloped roof to the rear, with 3 no. dormer windows to the rear roof slope and 1 no. to the front roof slope.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0039/23**

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

While the proposed extensions are approx. 257sq.m in size, it would be largely restricted to the rear of the dwelling. The interventions to the front include, but are not limited to, changing windows, the design of the front entrance to the dwelling, a front dormer extension and replacing the roof slates. The dwelling is also noted as being well setback and screened, by landscaping, from the Killakee Road.

The proposed external materials and finishes would include coursed random stonework walls, slate roofs, vertical zinc clad dark grey coloured panels and slim profiled glazing. The materials and contemporary design of the extensions are considered to complement the existing house design.

The internal accommodation, including the proposed bedrooms, would meet the minimum floorspace requirements of the CDP and Quality Housing Guidelines 2007. Sufficient private amenity space would remain.

In relation to impact on existing residential amenity, the proposed extension would be approx. 14.9m from the northern side boundary and approx. 25.1m from the 'Cuala' dwelling located to the north (the closest neighbouring dwelling). The subject dwelling is located on a large plot, and a significant level of private amenity space would remain following the proposed development.

In summary, the proposed development is considered to generally comply with the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 and has an acceptable impact in terms of residential and visual amenity.

### ***Landscape Character***

The subject site is located within the Dodder and Glensamole Landscape Character Area, which is considered a High Area of Sensitivity, as identified in Figure 3.1 of the CDP. It is located within the Hills Landscape Character Type, which is considered High Sensitivity in Figure 3.2 of the CDP. Given the design, form and siting of the proposed works to the existing dwelling it is considered to be in compliance with the landscape character policies and objectives of the CDP 2022-2028.

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

### ***Access and Parking***

The Roads Department have reviewed the proposed development and have no objections: *From a roads perspective, there are no proposed alterations to entrance or layout. Parking within the property has not been altered. No issues arise for roads.*

The Roads Department recommend that in the event of a grant of permission, a condition should be attached that gates shall open inwards. No changes are proposed to the access, it is therefore not considered that this condition should be attached.

### ***Green Infrastructure***

The subject site is located proximate to a Core Area and Primary Green Infrastructure Corridor as identified on Figure 4.4: Green Infrastructure Strategy Map in the CDP. The Public Realm Section have reviewed the proposed development and have no objection subject to a condition that the applicant submits a Green Infrastructure Plan.

Having regard to the extent of landscaping retained and the scale of the footprint increases, it is considered that the subject development incorporates and retains existing Green Infrastructure on the subject site. The proposed development is therefore considered to be in accordance with Policy Objectives GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the CDP 2022-2028.

### ***Infrastructure and Environmental Services***

No report has been received from Water Services. Standard conditions should apply in the event of a grant of permission.

### ***Screening for Environmental Impact Assessment***

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no 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.

### ***Screening for Appropriate Assessment***

The applicant has provided information to assist the screening for Appropriate Assessment. They conclude that a Stage 2 Appropriate Assessment is not required.

# Comhairle Chontae Atha Cliath Theas

## PR/0039/23

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

The subject site is not located within nor within close proximity to a European site. The development involves residential extensions.

Having regard to:

- the scale and domestic nature of the development,
- the location of the development in a serviced 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.

#### Development Contributions

Proposed extension 257sq.m

Previous extension 29.5sq.m

10.5sq.m remaining of the 40sq.m exemption

Planning Reference Number	SD22B/0491
Summary of permission granted & relevant notes:	Residential extension
Are any exemptions applicable?	Yes
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:	119.10
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€119.10
Area of Development (m2)	257
Amount of Floor area, if any, exempt (m2)	10.5
Total area to which development contribution applies (m2)	246.5
Total development contribution due	€29,358.15

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

### **SEA monitoring**

Building Use Type Proposed: Residential extensions

Floor Area: 257sq.m

Land Type: Rural

Site Area: 0.6 Hectares.

### **Conclusion**

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028 and South Dublin County Council House Extension Design Guide (2010),
- the established rural character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, 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 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.

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

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

# Comhairle Chontae Atha Cliath Theas

**PR/0039/23**

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

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 €29,358.15 (Twenty-nine thousand three hundred fifty-eight euros and fifteen 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



# **Comhairle Chontae Atha Cliath Theas**

**PR/0039/23**

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

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.

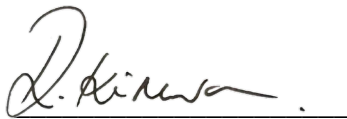
**Comhairle Chontae Atha Cliath Theas**

**PR/0039/23**

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

**REG. REF. SD22B/0491**

**LOCATION: Killakee Livery Yard, Rathfarnham, Dublin 16, D16TK85**



**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 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:** 12/01/23



**Gormla O'Corrain,  
Senior Planner**