

Comhairle Chontae Atha Cliath Theas

PR/0097/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0394 **Application Date:** 02-Sep-2022
Submission Type: Significant **Registration Date:** 22-Dec-2022
Additional
Information

Correspondence Name and Address: Bright Design Architects 4, Seafield Park,
Booterstown, Blackrock, Co. Dublin.

Proposed Development: Demolition of existing garage, storage and shed abutting boundary wall, existing chimney, single storey entrance porch to front elevation and single storey extension to rear elevation; Existing roof to be altered to increase eaves, pitch and overall height, removal of existing hipped element and construction of new gable and associated roof area, new rooflights to front and rear roofslopes and construction of a flat roof dormer extension on the rear roof slope; Construction of new single storey extensions to the front / side to replace garage, extension to the front elevation including relocation of the existing entrance and single storey extension to the rear; All associated elevational changes, internal alterations, site, drainage, landscaping and ancillary works.

Location: 5, Shelton Grove, Dublin 12

Applicant Name: Simon McCartney & Fiona O'Dea

Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Area

Stated as 0.05338 Hectares.

Site Description

The application site is located on Shelton Grove off the Kimmage Road West. The area is predominantly residential in nature and characterised by units of varying architectural design but with a relatively uniform building line. The subject property is a detached single storey unit with a differing roof treatments from a hip pitched intersecting roof to a gable pitch.

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Proposal:

The development will consist of:

- Demolition of existing garage, storage and shed abutting boundary wall, existing chimney, single storey entrance porch to front elevation and single storey extension to rear elevation.
- Existing roof to be altered to increase eaves, pitch and overall height, removal of existing hipped element and construction of new gable and associated roof area, new rooflights to front and rear roof slopes.
- Construction of a flat roof dormer extension on the rear roof slope.
- Construction of new single storey extensions to the front / side to replace garage.
- Extension to the front elevation including relocation of the existing entrance.
- Single storey extension to the rear.
- All associated elevational changes, internal alterations, site, drainage, landscaping and ancillary works.
- Total area of works stated as 28sqm, total area for demolition 33sqm.

Zoning:

The site is subject to zoning objective 'RES' - 'To protect and/or improve Residential Amenity'.

Consultations:

Irish Water - No report received at time of writing.

Water Services – No report received at time of writing.

Roads Department – No objections subject to conditions.

Parks – No objection subject to conditions.

SEA Sensitivity Screening

Overlap with SFRA B layer.

Submissions/Observations /Representations

None

Relevant Planning History

Subject Property

None

Adjacent sites:

SD15A/0376 - 95, Kimmage Road West, Dublin 12 – **Permission Granted** for New dwelling to rear and side of the existing dwelling with dormer and single storey elements including dormer rooflights to the front roof slope, Velux rooflights to the side and rear roof slopes and carport and canopy to the front elevation. New vehicular entrance opening onto Shelton Grove Road, new boundary wall and alterations to the existing boundary walls. All associated site, service and landscaping works.

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SD16B/0265 - 95, Kimmage Road West, Dublin 12 – **Permission Granted** for partial demolition of existing single storey dwelling and alterations to the boundary wall to the rear. Alterations to the permitted boundary to the proposed new dwelling (planning reference SD15A/0376). All associated site, landscaping works and services.

SD21B/0562 - 7, Shelton Drive, Dublin 12 – **Permission Granted** for retention of single storey porch extension to front elevation with ancillary works.

SD18B/0467 - 16, Shelton Drive, Kimmage, Dublin 12 – **Permission Granted** for retention of rear dormer extension and attic conversion including Velux roof light to side of house; widened front vehicular gate entrance.

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

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 GII: Overarching

GII 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

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accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

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.

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).

Assessment

The main issues for assessment are:

- Zoning and Council policy
- Planning Note
- Residential and Visual amenity
- Drainage
- Roads
- Parks

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- Green Infrastructure
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

A development comprising of the demolition of existing structures; altering the roof and construction of new gable and associated roof area, new rooflights to front and rear roof slopes and construction of a flat roof dormer; new single storey extensions to the front / side and front elevation including relocation of the existing entrance and single storey extension to the rear 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.

Planning Note

The proposed development indicates that there will be a Family Flat as part of the development which is noted on the site plan but not on the site notice or advertisement. The applicant should confirm that there will be a Family Flat as part of this application by **Additional Information**. Furthermore, if it is intended that the front portion of this dwelling is intended to be of use as a Family Flat, the applicant should be requested to readvertise the proposed development to include a new site notice indicating the inclusion of the Family Flat. The applicant should also confirm why a Family Flat is required. Also, the applicant has indicated the area of new works totals 28sqm with an area of 33sqm to be demolished. It appears that there is approximately 78sqm of new works and the applicant should demonstrate their figures via **Additional Information**.

Residential and Visual Amenity

Existing roof to be altered to increase eaves, pitch and overall height, removal of existing hipped element and construction of new gable and associated roof area, new rooflights to front and rear roof slopes.

Shelton Grove and Sheldon Drive are not homogenous streets in terms of house design; however, the subject dwelling is a recognisable house type within these streets. The proposals involve a departure away from its hipped-roof bungalow neighbours with a uniform ridge line. However, its position on the corner and its proximity to infill dwellings (1A, 2A Shelton Grove) that are similar in appearance to what is proposed as well as the two-storey properties across the road on Shelton Drive means the makes the proposals acceptable in terms of roof form and ridge height.

The proposed new rooflights would not lead to any significant additional overlooking and are therefore **acceptable**.

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Construction of a flat roof dormer extension on the rear roof slope

The proposed rear dormer is set below the ridgeline which is appropriate. The subject property is located in a visually prominent corner site and the proposed development extends the majority of the rear elevation roof which is relatively overbearing in the site context but acceptable in this instance given that it is a detached property. The materials proposed appears to be zinc clad finish with a largely glazed southeastern elevation which would not lead to overlooking or overshadowing of any habitable rooms or rear amenity space of neighbouring units and is therefore acceptable in principle subject to the changes outlined.

Construction of new single storey extensions to the front / side to replace garage.

Extension to the front elevation including relocation of the existing entrance.

The front extension forms part of the proposed Family Flat as indicated in the planning note. The demolition and reconstruction of the existing garage and conversion to residential use is largely acceptable. The parapet rises higher than the eaves of roof and the applicant should reduce the height of the parapet to make it more sympathetic to the neighbouring dwellings which should be included in the revised drawings and sought by **Additional Information**.

Single storey extension to the Rear

Part of the proposed rear extension extends the width of the rear wall of the existing dwelling and has a ridge height of 3.3m to the top of the parapet which is acceptable and overall would not seriously injure the visual or residential amenity of the area.

The proposed extension then continues along the boundary wall of the neighbouring unit and abuts the rear and side boundary walls which is not desirable and would lead to an unnecessary level of enclosure for the neighbouring unit to the north and the applicant should redesign the proposed extension to design out the element that abuts the northern and eastern boundaries which could be repositioned or reduced in size and should be provided via **Additional Information**.

Overall, Additional Information is required to address the various issues as highlighted throughout the report.

Drainage

No report was received from Water Services or Irish Water at the time of writing, but it is considered appropriate that **additional information be sought from the applicant to demonstrate** the appropriate treatment of Sustainable Urban Drainage Systems (SuDS). It is noted that the proposed development is located within an acceptable distance of any existing Irish Water infrastructure as per the Irish Water maps.

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Roads

The roads department have **no objections subject to conditions** and submitted the following report:

No Roads objections subject to the following conditions:

1. As per SDCC Greater Dublin Region Drainage COP: Soakaways may be used for the disposal of surface water and must comply with the BRE Digest 365.

Submitted soakaway design details shall include infiltration test results. The design shall be certified to BRE Digest 365 standard by a suitably qualified person. Only clean, uncontaminated surface water shall be discharged to soakaways. The soakaway shall be located fully within the curtilage of the property and shall be: (i) at least 5m from any buildings, public sewers, road boundary or structures (ii) generally, not within 3m of the boundary of the adjoining site (iii) not in such a position that the ground below foundations is likely to be adversely affected. (iv) 10m from any sewage treatment percolation area and from any watercourse / flood plain. (v) Soakaways to include an overflow connection to a public surface water sewer where possible.

2. The boundary walls at 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.

3. The vehicular access point shall not exceed a width of 3.5 meters.

4. Any gates shall open inwards and not outwards over the public domain.

5. All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.

6. The entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.

Condition 1 is not a Roads Section issue, but surface water drainage conditions shall be attached in the event of grant of permission. Condition 5 is not an enforceable condition, notwithstanding this, the other **conditions** as indicated by the Roads Section shall be attached in the event of a grant of permission.

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Parks

The Public Realm/Parks Department have **no objection to the proposed development subject to conditions** and the following report was received:

The following condition is recommended to be applied:

Conditions:

1. Protection of Street Trees in Grass Margins

*The applicant is to ensure the protection of the existing four street trees to be retained through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works. Commencement of development should not be permitted without adequate protective fencing being in place in line with BS 5837. This fencing, enclosing the tree protection area 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 areas indicated on plan. **NCBH11 Objective 3***

It is considered appropriate that the above condition is attached in the event of a grant of permission. Furthermore, the applicant should indicate which mature trees to the rear are to be removed as a result of the proposed development and should provide an appropriate replanting scheme and this should be sought as part of the **Additional Information** request.

Green Infrastructure

The subject application provides for an increase in the footprint of the subject house but on an established suburban residential site. The site is not located within a Primary GI Corridor or Secondary GI Link 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, a full GI assessment for the proposed development is **not required**.

Screening for Appropriate Assessment

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 demolition of existing structures; altering the roof and construction of new gable and associated roof area, new rooflights to front and rear roof slopes and construction of a flat roof dormer; new single storey extensions to the front / side and front elevation including relocation of the existing entrance and single storey extension to the rear.

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,

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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.

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.

Development Contributions

Planning Reference Number	SD22B/0394
Summary of permission granted & relevant notes:	Residential Extension – 78sqm. Previous Extensions total 17.5sqm. Area to be demolished 33sqm includes 17.5sqm. Total area applicable 38sqm.
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:	104.49
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€104.49
Area of Development (m2)	78
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	38
Total development contribution due	€ 3,970.62

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SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 78sqm

Land Type: Urban Consolidation.

Site Area: 0.05338Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development proposed it is considered that, additional information is required from the applicant to address the issues highlighted in this report.

Recommendation

Further Information Requested on 27/10/2022.

Further Information Received on 22/12/2022.

Consultations:

Parks – No objection to subject to condition.

Water Services – No report received at the time of writing.

Roads – No objection to the proposed development.

Assessment

In response to the Additional Information request, the applicant submitted the following:

- Cover Letter from Bright Design Architects
- Copy of New Newspaper Notice
- Copy of New Site Notice
- Photo Montage
- Existing Site Layout Plan – 22010 – 101 – FI 01
- Existing Ground Floor Plan - 22010 – 102 – FI 01
- Existing Elevations - 22010 – 110 – FI 01
- Existing Contiguous Elevations - 22010 – 110 – FI 01
- Proposed Site Layout Plan - 22010 – 200 – FI 01
- Proposed Landscaping/SuDS Strategy Plan - 22010 – 201 – FI 01
- Proposed Ground Floor Plan - 22010 – 202 – FI 01
- Proposed Alternative Ground Floor Plan - 22010 – 203 – FI 01
- Proposed First Floor Plan - 22010 – 204 – FI 01
- Proposed Elevations - 22010 – 210 – FI 01
- Proposed Contiguous Elevations - 22010 – 211 – FI 01

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Item 1:

Family Flat

The applicant should confirm that the area as indicated as a Family Flat on the drawings submitted is correct. If the applicant does intend to provide a Family Flat as part of this application, the proposed development should be readvertised including a revised site notice, to include this. The applicant should reference the South Dublin County Development Plan 2022-2028 in relation to Family Flats and include a rationale as to why a Family Flat is required.

Rationale as to why a Family Flat is Required

- On the cover letter provided by the applicant it is confirmed that the Family Flat will be used for the parent of the current occupant for health reasons who currently resides in Limerick. This is considered acceptable and consistent the CDP.

Consistency with the South Dublin County Development Plan (12.6.8 Residential Consolidation)

- *The applicant shall be required to demonstrate that there is a genuine need for the family flat;*

As above. **Acceptable.**

- *The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;*

The area of the proposed Family Flat is significantly less than 50% of the floor area of the existing dwelling house (23sqm). **Acceptable.**

- *The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;*

The proposed development complies with this. **Acceptable.**

- *Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house;*

No additional external doors. **Acceptable.**

- *Conditions may be attached to any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.*

A **condition** will be attached in the event of a grant of permission confirming this.

It is noted that the applicant has submitted "Alternative Ground Floor Plans" and it is considered that these relate to how the proposed Family Flat will be incorporated in the dwelling. The applicant has submitted the revised site notices and advertisements as required and overall, it is considered that **Item 1 has been addressed sufficiently.**

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Item 2:

Design Considerations:

(a) The height of the front porch extension and bedroom extension to the northern elevation extend past the eaves of the main roof and the applicant should submit revised drawings indicating a lower parapet in order to provide a more sympathetic aesthetic to the visual amenities of the area.

(b) The rear extension extending along the entire northern boundary and abutting the rear eastern boundary is unacceptable and should be revised to decrease the depth or be repositioned in order to mitigate the potential overbearing impact on the neighbouring unit to the north. The applicant should provide contextual drawings indicating the relationship between the proposed rear extension and the units to the north and east.

- (a) The applicant has revised the proposed development from pitched front flanked by flat roofed extensions either side to intersecting hip pitched roofs which maintain the same ridge height as the existing roof to the western elevation. This sits far more sympathetically within the design aesthetic of the accepting area and is therefore considered **acceptable**.
- (b) The applicant has removed the proposed extension along the boundary wall has been removed entirely which is appropriate in the site context and would therefore mitigate any detrimental effects on the residential amenities of the neighbouring dwellings which is therefore **appropriate**.

The applicant has addressed the design concerns of the Planning Authority and therefore, the proposed development would not injure the visual or residential amenities of the area.

Item 3:

Sustainable Urban Drainage Systems

The applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. The applicant should submit a drawing in plan and cross sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development such as such as but not limited to the following:

Rain Gardens, Planter boxes with overflow connection to the public surface water sewer, Permeable Paving, Grasscrete.

The applicant has submitted a revised plan with the following:

- Cobblelock permeable paving and gravel to the front of the development.
- 3 water butts.
- Cobblelock paving to the southern side of the site.
- Raised planted beds to part of the southern boundary.
- Grass to the east of the site.
- Raised planted beds along the eastern and northern boundaries.

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It should be noted that the plans as submitted have not been reviewed by Water Services but notwithstanding this, the proposal is considered **acceptable**.

Item 4:

Trees

The applicant should confirm the number of mature trees in the rear garden to be removed as a result of the proposed development and should provide a replanting scheme utilising indigenous species.

The applicant has confirmed that there are no mature trees being removed as a result of the proposed scheme. Furthermore, the applicant has confirmed that there is a haphazard hedgerow along northern boundary of the site. From the photos supplied there are some small trees forming part of the hedgerow but notwithstanding this, the plan as requested under Item 3 indicates revised planting which is acceptable given the small scale and nature of the development and is therefore **acceptable**.

Item 5:

Areas

The applicant is requested to confirm the calculations for the proposed area of works as an area of 28sqm has been indicated which does not appear to align with the plans submitted as part of the application.

The applicant has confirmed the areas as follows:

- *Ground Floor – 32sqm (single storey extension to the rear) 3sqm (porch). Family Flat area is conversion of the existing garage.*
- *First Floor – 28sqm*
- *Total – 60sqm*

The areas as confirmed by the applicant are **acceptable**.

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Other Considerations

Development Contributions	
Planning Reference Number	SD22B/0394
Summary of permission granted & relevant notes:	Ground and First Floor Extensions – 60sqm
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)	20
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	20
Total development contribution due	€2,382

SEA Monitoring Information

Building Use Type Proposed:

Floor Area: 60sqm

Land Type: Urban Consolidation.

Site Area: 0.05338Hectares

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Conclusion

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028 and the overall design and scale of the proposed development, it is considered that, subject to the **conditions** set out below, the proposed development 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 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 22/12/2022, 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. (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

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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 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

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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. Protection of Street Trees in Grass Margins

The applicant shall ensure the protection of the existing four street trees to be retained through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works. Commencement of development shall not be permitted without adequate protective fencing being in place in line with BS 5837. This fencing, enclosing the tree protection area 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 areas indicated on plan. NCBH11

Objective 3

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

4. Roads

1) The boundary walls at 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.

2) The vehicular access point shall not exceed a width of 3.5 meters.

3) Any gates shall open inwards and not outwards over the public domain.

4) The entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.

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

5. Restrictions on Family Flat.

(a) The use of the family flat shall be restricted to a residential use only, directly associated with the use of the existing house on the site for such purposes and the family flat shall not be subdivided or separated from the main house. In particular, it shall not be sold, leased or let (including short-term letting) independently of the main house.

(b) The family flat extension shall revert to use as part of the main house when the development is no longer required for use as a family flat.

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REASON: To ensure that the family flat does not operate as an independent dwelling unit or for any commercial purpose, in the interest of residential amenity and the proper planning and sustainable development of the area.

6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2,382 (Two thousand, three hundred and eighty-two euro), 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.

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.

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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/0394
LOCATION: 5, Shelton Grove, Dublin 12



Neal Murphy,
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: 27.01.23

Colm Harte

Colm Harte,
Senior Executive Planner