

DDA Architects Ltd
62, Brighton Square
Dublin 6.

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

Decision Order Number:	0122	Date of Decision:	03-Feb-2023
Register Reference:	SD22A/0379	Date:	09-Jan-2023

Applicant: Lily Pad Creche and Montessori

Development: Change of use from office to creche use of No. 17 and combining proposed creche with existing creche at No 16 (Reg Ref S95A/0124), alterations to facilitate a single operator including; Provision of two interconnecting doors in party wall between No. 16 and No. 17; Provision of universal accessible WC's to No. 17; Provision of new rear door to No. 17 and closure of existing side door; Removal of rear party boundary wall to provide one play area; Minor internal alterations, and all associated site works.

Location: 16 & 17, Main Street, Rathfarnham, Dublin 14, D14 F5X8 & D14 R2T3

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 30-Nov-2022 /09-Jan-2023

Clarification of Additional Information Requested/Received:

DECISION TO: Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, 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 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

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 condition(s) set out hereunder is thereby 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.
2. The applicant shall ensure:
 1. A Conservation and Design Method Statement has been provided detailing the proposed works. It is considered that the details in the Method Statement should be adhered to ensuring works are carried out in accordance with good conservation practice and principles.
REASON: To ensure works are carried out as per the Method Statement in accordance with good conservation practice and principles.
 2. The works required for the proposed new connecting opes shall be carried out in a sensitive manner without causing damage to the original built fabric and shall be made good using traditional methods and materials.
REASON: To ensure interventions are carried out adhering to good practice and using the correct materials.
 3. A Conservation Architect/Architect with Conservation expertise and experience should be engaged to supervise the proposed development for the duration of the works.
REASON: To ensure professional supervision of works in accordance with Architectural Guidelines.
 4. Safety measures should be put in place during the proposed works. A Safety Statement should be provided detailing how the existing structures will be protected during demolition works and new works. A safety statement should be submitted for written agreement with the Councils Architectural Conservation Officer prior to the commencement of development.
REASON: To ensure a safety system is put in place during the proposed development to mitigate any possible damage and to protect the original fabric and features.

The above condition (No. 3) should be submitted for written approval and agreement with the Councils Architectural Conservation Officer (Ms. I. McLoughlin) prior to the commencement of development.
3. 1. A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.
REASON: In the interest of sustainable transport. The mobility plan should be developed to manage drop offs and pickups from the facility.

2. Prior to commencement of development, The applicant shall submit a revised layout of not less than 1:200 scale showing the location and number of Bicycle parking spaces to be provided at the development. Please refer to Table 12.23: Minimum Parking/Storage Rates – from the SDCC County Development Plan 2022-2028.
4. Signage and other free-standing installations on the front elevation of the building which is located within the Rathfarnham ACA and a protected structure should be avoided or limited so as to remove and limit the visual clutter on the character of the building.
REASON: In order to preserve the character and heritage of the building.
5. Water Services
i) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
ii) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works
6. Water
1.1 Where applicable prior to the commencement of development the applicant or developer shall enter into a water connection agreement(s) with Irish Water.
Reason: In the interest of public health and to ensure adequate water facilities.
2. Foul
2.1 Where applicable prior to the commencement of development the applicant or developer shall enter into a wastewater connection agreement(s) with Irish Water.
Reason: In the interest of public health and to ensure adequate water facilities.
7. Noise
1. To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that:
The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours
- Before 07.00 hours on weekdays, Monday to Friday
 - Before 09.00 hours on Saturdays.
 - After 19.00 hours on weekdays, Monday to Friday.
 - After 13.00 hours on Saturdays.
 - Not permitted at any time on Sundays, Bank Holidays or Public Holidays.
- 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.

Air Quality

During the construction / 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.

REASON: To contain dust arising from construction / demolition in the interests of

public health and to prevent nuisance being caused to occupiers of buildings in the vicinity.

Notes to the Developer: The applicant is strongly advised to consult with Tusla Child and Family Agency prior to the commencement of the development.

8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €16, 930.53 (Sixteen thousand, nine hundred and thirty euro and fifty 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 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.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014, the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

Pamela Hughes **07-Feb-2023**
for Senior Planner

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

(A) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
 2. The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made.
where the application relates to unauthorised development €4,500.00 or €9,000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made.
other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b) €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal €110.00
 - (f) Appeal following a grant of leave to appeal €110.00
 - (g) Referral..... €220.00
 - (h) Reduced fee (payable by specified bodies)..... €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at

Telephone 01-858 8100