

Ban Dubh Building Design
Ban Dubh
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Mackeys Cross
Clogheen
Cork

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

Final Grant Order No.:	1040	Date of Final Grant:	16-Aug-2022
Decision Order No.:	0849	Date of Decision:	06-Jul-2022
Register Reference:	SD22A/0015	Date:	09-Jun-2022

Applicant: Niall Murphy

Development: Detached two storey house with new vehicular entrance to side of 54 Fernwood Avenue as per previously granted application SD16A/155

Location: 54, Fernwood Avenue, Dublin 24

Time extension(s) up to and including:

Additional Information Requested/Received: 14-Mar-2022 / 09-Jun-2022

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

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 as amended by Further Information received on 09.06.2022, 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) Drainage - Irish Water.

- (i). Where the applicant proposes to connect to a public water network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement. Reason: In the interest of public health and to ensure adequate water facilities.

- (ii). Where the applicant proposes to connect to a public wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the

commencement of the development and adhere to the standards and conditions set out in that agreement.

(iii). The applicant shall include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:

- Rain Gardens
- Planter boxes with overflow connection to the public surface water sewer.
- Permeable Paving
- Grasscrete
- Water Butt/s

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

(v). All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

(vi). The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(vii). 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.

(viii). 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.

(c) 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.

(d) 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 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. Roads Requirements.

(a). Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.

(b). Any gates shall open inwards and not out over the public domain.

(c). One parking space only be provided at this property

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

4. Trees.

(a) A tree bond of €3,000 (three thousand euros) shall be lodged with the Planning Authority to ensure the protection of the existing street trees located in the grass margin during the course of the development works. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the trees proposed for retention are alive, in good condition with a useful life expectancy.

(b). Suitable tree protection fencing shall be installed in order to protect the existing tree during construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837. This fencing, enclosing the tree protection areas 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 area.

REASON: To ensure the safety and well-being of the trees on and adjacent to the subject site that are to remain after building works are completed, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

5. Restriction on Use.

The house hereby permitted shall be used as a single dwelling unit and shall not be subdivided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

REASON: To prevent unauthorised development.

6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €13,061.25 (thirteen thousand and sixty one euros and twenty five 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 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.

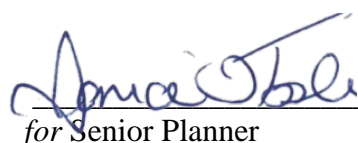
NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. Please log onto www.localgov.ie and click on BCMS link.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1: Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.


for Senior Planner 17-Aug-2022