

Comhairle Chontae Atha Cliath Theas

PR/0288/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22B/0326 **Application Date:** 14-Jul-2022
Submission Type: Additional **Registration Date:** 20-Feb-2023
Information

Correspondence Name and Address: Muhammad Iqbal 1, Rossberry Avenue, Lucan, Co Dublin

Proposed Development: Extension and refurbishment of existing dwelling to include construction of two storey extension to side and rear; internal alterations to existing layout; alterations to front, side and rear elevations including canopy area and roof to existing dwelling; alterations to side boundary; maintenance works and all associated site works.

Location: 1, Rossberry Avenue, Lucan, Co Dublin

Applicant Name: Muhammad Iqbal

Application Type: Permission

Description of Site and Surroundings

Site Area

Stated as 0.037 Hectares.

Site Description

The subject site is located within the established residential area of Rossberry and is comprised of a semi-detached, two storey dwelling with a driveway and garden to the front with off-street car parking and a rear garden. The site itself is a corner site, bound to the south by Rossberry Avenue, to the west by Rossberry Place, to the east by No. 3 Rossberry Avenue and to the north by directly adjoins No. 12 Earlsfort Lawn to the west, is bound to the north by No. 11 Rossberry Avenue.

The existing dwelling is comprised of an entrance hallway, toilet, sitting room, dining room, kitchen, and utility at ground floor level and 4 No. bedrooms (one of which is ensuite), a hotpress and a family bathroom at first floor level. The dwelling has a half-hipped roof profile with an approximate ridge height of 7.47m, with a sloped roof to a single storey rear projection with an approximate height of 3.12m and a sloped roof providing a canopy above the front entrance door.

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Proposal

Permission is sought for development comprised of:

- A two storey extension to the side and rear projecting approximately 4.2m out from the side (western) elevation and 2.1m out from the rear elevation of the existing dwelling with a length of approximately 11.6m and a hipped roof profile with an approximate ridge height of 7.47m, matching the ridgeline of the existing roof profile.
- Associated reconfiguration of the internal layout resulting in a new lounge, bathroom, utility room and enlarged kitchen at ground floor level and 2 No. new bedrooms, a bathroom and store room at first floor level. The proposed two storey extension will result in an additional 85 sq. m gross floor area to the existing dwelling.
- Elevational amendments in the form of:
 - Front Elevation – 1 No. window at ground floor level with an extension to the existing sloped roof canopy and 1 No. window at first floor level of the proposed two storey side extension.
 - Side (east) Elevation – Amendment to the existing side elevation comprised of 1 No. access door and 1 No. window at ground floor level and 2 No. windows at first floor level, to the proposed elevation comprised of 1 No. side access door and 1 No. window at first floor level.
 - Rear Elevation – 1 No. glazed patio doors at ground floor level and 1 No. additional window at first floor level of the proposed two storey side extension.
- All ancillary works above and below ground.

Zoning:

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

Consultations:

Drainage and Water Services Department – No report received at time of writing.

Irish Water – No report received at time of writing.

Roads Department – No objection.

SEA Sensitivity Screening

No overlap indicated with the relevant environmental layers.

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Submissions/Observations /Representations

Final date for submissions/observations – 17th August 2022.

None received.

Relevant Planning History

Subject Site

SD06A/0854

Two storey detached house adjacent to and in the side garden of existing house, new vehicular entrance discharging of footpath and all associated site works. **SDCC Decision:** Refuse Permission.

Adjacent sites

SD19B/0073 – No. 2 Rossberry Avenue, Lucan, Co. Dublin (to the south of the Subject Site on the opposite side of Rossberry Avenue)

Two storey extension to side; widening of existing vehicular access gate; all associated site works. **SDCC Decision:** Grant Permission, subject to conditions.

Relevant Enforcement History

None on record.

Pre-Planning Consultation

None on record.

Relevant Policy in South Dublin County Council Development Plan 2022-2028

Chapter 4 Green Infrastructure

Section 4.1 Methodology

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.

Section 4.2.1 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.

Section 4.2.2 Sustainable Water Management

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 6.8.2 Residential Extensions

Policy H14: 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).

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 13.5.8 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.

South Dublin County Council House Extension Design Guide (2010)

The House Extension Design Guide contains the following general guidance on house extensions and specific guidance on side extensions:

Side extensions:

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

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Rear Extensions:

- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*

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.'*

Overlooking and loss of privacy

- *Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.*

Overbearing Impact

- *Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.*
- *Use light coloured materials on elevations adjacent to neighbouring properties.*

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).

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).

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Planning Note

The drawings provided by the Applicant are deficient as follows:

- Article 23(1)(c) of the Planning and Development Regulations states that *'the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate'*.

It is noted that Finished Floor Levels have not been included on the site layout plans and floor plans. However, the ground level and finished floor levels are shown on the elevational drawings.

The deficiencies in the drawings provided by the Applicant are not significant enough to prevent a complete assessment of the proposed development and it is considered that, should the Planning Authority be minded to Grant Permission for the proposed development, corrected drawings can be provided by way of **CONDITION**.

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy
- Residential and Visual Amenity
- Green Infrastructure
- Water Supply and Wastewater
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is subject to zoning objective 'RES' – *'To protect and/or improve residential amenity'*. A house extension (residential development) is permitted in principle under this zoning objective, subject to assessment against the relevant policies, objectives and standards set out in the South Dublin County Development Plan 2022-2028 and the South Dublin County Council House Extension Design Guide 2010.

Visual Impact and Residential Amenity

Each element of the proposed development shall be assessed individually below, in the context of the potential impact on the residential and visual amenity of adjacent properties and the wider streetscape. The proposed development shall also be assessed against the relevant policy, including but not limited to the South Dublin County Development Plan 2022-2028 and the South Dublin County Council House Extension Design Guide (2010).

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Two Storey Side Extension

A two storey side extension projecting approximately 4.2m out from the side (western) elevation and 2.1m out from the rear elevation of the existing dwelling with a length of approximately 11.6m and a hipped roof profile with an approximate ridge height of 7.47m, matching the ridgeline of the existing roof profile.

The height of the proposed two storey extension matches the height of the existing dwelling's ridgeline height. In general, the proposed two storey side extension adheres to the content of the South Dublin County Council House Extension Design Guide (2010), and it is considered that the proposal would not have a significant adverse impact on the residential and visual amenity of the subject site, surrounding properties and the adjacent streetscape.

Having regard to the internal layout of the proposed development and the existing dwelling, it is noted that the proposal could be easily subdivided into 2 No. dwellings, however this has not been applied for as part of this application. In this regard it is considered that, should the Planning Authority be minded to Grant Permission, a **CONDITION** should be attached requiring the proposed extension and the existing dwelling to operate as a single dwelling only.

Elevational Amendments

The proposed development includes the following elevational amendments:

- Front Elevation – 1 No. window at ground floor level with an extension to the existing sloped roof canopy and 1 No. window at first floor level of the proposed two storey side extension.
- Side (east) Elevation – Amendment to the existing side elevation comprised of 1 No. access door and 1 No. window at ground floor level and 2 No. windows at first floor level, to the proposed elevation comprised of 1 No. side access door and 1 No. window at first floor level.
- Rear Elevation – 1 No. glazed patio doors at ground floor level and 1 No. additional window at first floor level of the proposed two storey side extension.

The proposed fenestration of the extension is considered to integrate cohesively with the existing house and the surrounding area and would not have a negative impact on the visual and residential amenities of the area.

However, a concern arises regarding the lack of the passive surveillance of the adjacent public realm presented by the minimal fenestration of the western elevation. Whilst it is acknowledged that the existing western elevation of the dwelling does not include extensive fenestration which would provide passive surveillance to the adjacent public realm, it is considered that the proposed development of this Application presents an opportunity to improve upon this existing scenario. Policy H8 Objective 2 of the Development Plan states that:

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'To ensure that there is a clear definition between public, semi-private and private open space at a local and district level and that all such open spaces benefit from passive surveillance from nearby residential development.'

Having regard to Policy H8 Objective 2 and the public realm adjacent to the western boundary of the subject site, it is considered appropriate that, should the Planning Authority be minded to Grant Permission for the proposed development a **CONDITION** should be attached requiring the re-design of the proposed development to include at least one additional window at first floor level to the side (western) elevation.

Boundary Treatment

Reference is made in the development description within the Statutory Notices to alterations to the side boundary. However, the exact nature and extent of the alterations is unclear from the drawings provided by the Applicant. The only apparent alteration seems to be to a reduction in the extent of the side boundary wall and access gate adjacent to the western elevation of the dwelling, as a result of the projection of the proposed two storey side and rear extension affixed to the western elevation of the dwelling.

Should the Planning Authority be minded to Grant Permission for the proposed development, a **CONDITION** should be attached requiring the Applicant to submit plan, sectional and elevational drawings of the existing and proposed boundary treatment for the subject site. Further information item.

Private Amenity Space

According to the drawings provided by the Applicant approximately 120 sq. m private amenity space remains, thus the minimum private open space requirement is achieved for a house of this size as outlined in Table 3.20 of the Development Plan.

Overall, it is considered that the proposed two storey side and rear extension would not have an adverse impact on the visual and residential amenity of the subject site and adjacent properties.

Green Infrastructure

The subject site is located within a Core Area as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028). However, the subject site is located on the fringes of the Grand Canal Primary GI Corridor. The development will increase the floorplate of the dwelling, resulting in the loss of approximately 45 sq. m of grassland area. In this regard, there will be an impact to the existing green infrastructure network and an impact in terms of additional runoff from the site. Further information item.

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Drainage and Water Services

The Irish Water Network map appears to indicate that the subject site is serviced by a public mains and sewer. Should permission be granted for the proposed development, it is considered appropriate that standard drainage **CONDITIONS** should be attached relating to water supply, surface water and foul water drainage. A review of the Irish Water Network map identifies that the stormwater infrastructure running along the western boundary of the subject property. The setback of the proposed extension from the existing Irish Water infrastructure is required to be determined, prior to planning permission being granted. Further information in this regard is requested.

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 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.

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 an extension to an existing dwelling. Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Other Considerations

Development Contributions	
Building Use Type Proposed	Floor Area (sq.m)
Residential Extension	85 sq. m
Previous Extension	0 sq. m
Assessable Area	45 sq. m

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential Extension	85 sq. m
Land Type	Site Area (Ha.)

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SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Brownfield/Urban Consolidation	0.037 Ha

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, subject to the conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. That being said, further information is required in respect of potential impact on the existing Irish Water Infrastructure that adjoins the application site.

Recommendation

I recommend that ADDITIONAL INFORMATION be requested from the applicant with regard to the following:

1. The applicant is requested to submit the following:
 - (a) A drawing showing the setback distance between the foundation of proposed development and adjoining Irish Water infrastructure.
 - (b) A Letter of Feasibility from Irish Water confirming that the proposed development is acceptable
2. Applicant requested to provide the following:
 - (a) Revised site layout and floor plans that clearly demonstrate the levels/contours relative to ordnance survey or equivalent data.
 - (b) Revised plan, sectional and elevational drawings which demonstrate the provision of at least 1 No. additional window at first floor level of the two storey side extension.
 - (c) full details and specifications of the existing and proposed site boundary treatment that accords with Development Plan policy and the requirements of the Council's Parks and Landscape Services Section.
3. Sustainable Drainage Systems and Green Infrastructure.
 - a). The Applicant is required to submit a surface water drainage layout drawing for the development showing the inclusion of alternative SuDS (Sustainable Drainage Systems) features. In providing a Surface Water Drainage Layout drawing, the Applicant should have regard to the Sustainable Drainage Explanatory Design and Evaluation Guide (2022), a copy of which is available on South Dublin County Council's website.
 - b). The applicant is requested to provide additional information as follows and in accordance with the Green Infrastructure policies and Section 12.4.2 of the South Dublin County Development Plan 2022 - 2028:

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- (i) To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network.

Additional Information

Additional Information was requested on 6th September 2022.

Additional Information was received on 20th February 2023.

The Additional Information received was not deemed to be significant, as such the Applicant was not required to erect a Site Notice or publish a Newspaper Notice.

Submissions/Observations

No submissions / observations received.

Assessment

The following Additional Information was received from the Applicant on 20th February 2023:

- Cover Letter prepared by ONCE Consulting Engineers dated 16th February 2023.
- Letter of Response prepared by ONCE Consulting Engineers.
- Drawing No. 5892/C101 – Drainage Layout & Details prepared by ONCE Consulting Engineers.
- Drawing No. P 09 – Proposed Floor Plan.
- Drawing No. P 11 – Proposed Sections.
- Letter from Irish Water dated 13th January 2023.
- Drawing No. D17292-F – Site Survey prepared by Land Surveys.

The Additional Information provided by the Applicant will be assessed below in the context of the 3 No. items of Additional Information requested by the Planning Authority on 6th September 2022.

Additional Information Item No. 1

In response to Additional Information Item 1(a) Drawing No. 5892/C101 – Drainage Layout & Details prepared by ONCE Consulting Engineers demonstrates a setback distance of approximately 5.6m between the foundation of the proposed development and the adjoining Irish Water Infrastructure.

The Letter of Feasibility from Irish Water dated 13th January 2023 satisfies Additional Information Item 1(b) and provides confirmation that the proposed development is outside the zone of influence of the nearest Irish Water Infrastructure.

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Having regard to the above, it is considered that the Applicant has satisfactorily addressed Additional Information Item No. 1.

Additional Information Item No. 2

Although the proposed Floor Plan drawings do not include levels as requested by Additional Information Item No. 2(a), it is noted that Drawing No. P11 does include levels relative to ordnance survey or equivalent data. In addition, the Applicant has provided an Existing Site Survey. Having regard to the information provided by the Applicant, it is considered that the nature and scale of the proposed development would not have an adverse impact on the visual and residential amenity of the subject site and surrounding streetscape.

The Proposed Side Elevation shown on Drawing No. P11 demonstrates the addition of 1 No. window at first floor level, thus providing sufficient passive surveillance to the adjacent public realm.

It is noted that, according to the Letter of Response prepared by ONCE Consulting Engineers the existing 1.8m boundary wall is to be retained and thus no changes are proposed to the boundary treatment.

Having regard to the Applicant's submission, it is considered that Additional Information Item No. 2 has been successfully addressed.

Additional Information Item No. 3

In response to Additional Information Item No. 3(a) ONCE Consulting Engineers have provided a Drainage Layout & Details (Drawing No. 5892/C101) demonstrating the inclusion of a rainwater harvesting tank.

In response to Additional Information Item No. 3(b), the Applicant has stated that:

'Proposed development is extension to existing dwelling. Fragmentation of existing green infrastructure is not proposed for development.'

It is noted that the development will increase the floorplate of the dwelling, resulting in the loss of approximately 45 sq. m of grassland area. In this regard, there will be an impact to the existing green infrastructure network and an impact in terms of additional runoff from the site. However, it is considered that this impact would be mitigated through the provision of Sustainable Drainage Systems measures such as the rainwater harvesting tank. As such, in this instance having regard to the nature and scale of the proposed development and the proposed SuDS measures, it is considered that the proposed development would not have a significant impact on the Green Infrastructure network of the subject site and surrounding area.

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Other Considerations

Development Contributions

Development Contributions	
Planning Reference Number	SD22B/0326
Summary of permission granted & relevant notes:	Extension and refurbishment of existing dwelling to include construction of two storey extension to side and rear; internal alterations to existing layout; alterations to front, side and rear elevations including canopy area and roof to existing dwelling; alterations to side boundary; maintenance works, and all associated site works.
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)	85.0
Amount of Floor area, if any, exempt (m²)	40
Total area to which development contribution applies (m²)	45
Total development contribution due	€5,359.50

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SEA Monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Residential Extension	85 sq. m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.037 Ha

Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2022-2028 and the South Dublin House Extension Design Guide (2010), the Additional Information provided by the Applicant, it is considered that, subject to conditions, the proposed development generally adheres to the key policies, objectives and guidance and would not be contrary to 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 20th February 2023, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

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2. Restriction on Use.

The existing 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.

3. Boundary Treatment.

Prior to the commencement of development, the applicant/owner shall submit for the written agreement of the Planning Authority a plan showing full details and specifications of the existing and proposed site boundary treatment that accords with Development Plan policy and the requirements of the Council's Parks and Landscape Services Section,

REASON: In the interest of visual amenity and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

4. (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) 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.

(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

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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.

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €5, 359.50 (Five Thousand, Three Hundred and Fifty Nine Euro and Fifty 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.

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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.

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.

Comhairle Chontae Atha Cliath Theas

PR/0288/23

Record of Executive Business and Chief Executive's Order

REG. REF. SD22B/0326

LOCATION: 1, Rossberry Avenue, Lucan, Co Dublin



**Conor Doyle,
Assistant 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: 16/03/2023



**Colm Harte,
Senior Executive Planner**