

Ms. Claire O' Neill  
Carricknabrick House,  
Loughduff,  
Cavan  
H12VY66

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

Final Grant Order No.:	<b>0319</b>	Date of Final Grant:	<b>27-Mar-2023</b>
Decision Order No.:	<b>0151</b>	Date of Decision:	<b>13-Feb-2023</b>
Register Reference:	<b>SD22B/0498</b>	Date:	<b>31-Jan-2023</b>

**Applicant:** Josephine Heraty

**Development:** Retention Permission for a detached structure in the rear garden which includes Gym/Shower room utility and store with connection to existing services

**Location:** 37 New Road, Clondalkin, Dublin 22, D22XV00

**Time extension(s) up to and including:**

**Additional Information Requested/Received:** 17-Jan-2023 / 31-Jan-2023

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 retained and completed fully in accordance with plans, particulars and specifications lodged with the application, and as amended by Further Information received on the 31st of January 2023, save as may be required by other conditions attached hereto.  
REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Restriction on Use of the Garden Room.  
The detached garden structure shall be used solely for purposes incidental to the enjoyment of the dwelling house as such and shall not be used for habitation or the carrying on of any trade or business, and shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.  
REASON: In the interest of orderly development and the proper planning and sustainable development of the area.
3. Amendments.  
Within three months of the final grant in permission, the applicant/developer shall omit the WC from the detached garden structure.  
REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

4. 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.

5. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no 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 be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor 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.

**NOTES :**

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.

- (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](http://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.

*M. Crowley*

27-Mar-2023

for Senior Planner