

PMK Architects
'Sycamore Lodge'
Barrenhill
Sutton
Dublin 13

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

Final Grant Order No.:	0630	Date of Final Grant:	07-Jun-2023
Decision Order No.:	0433	Date of Decision:	24-Apr-2023
Register Reference:	SD22B/0402	Date:	27-Feb-2023

Applicant: Rajendra Naik & Kumud Naik

Development: Single storey kitchen extension to existing kitchen at rear and for a new single storey granny accommodation to rear consisting of two bedrooms, bathroom, lounge kitchen and off street car parking all to rear of existing shop / house.

Location: 1 Orchardstown Park, Dublin 14

Time extension(s) up to and including:

Additional Information Requested/Received: 28-Oct-2022, 06-Jan-2023 / 01-Dec-2022, 27-Mar-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 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 1st December 2022 and Clarification of Further Information received on 27th March 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.
2. Restriction on Use.
The house hereby approved shall be used as a single dwelling unit and shall not be sub-divided 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.
3. 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.

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.

4. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall provide documentary evidence to South Dublin County Council of the following:

(i) A water connection agreement(s) with Irish Water.

(ii) A drawing in plan and cross-sectional view showing the distance between the proposed family flat and the existing 110mm foul water sewer which has been agreed in writing with Irish Water. The drawings shall also show the invert levels of the existing 110mm foul water sewer and any adjacent proposed building foundations. It is noted that a minimum clear setback distance of 3m is required between all building foundations and a foul water sewer this size according to Irish Water Standard Details for Wastewater Infrastructure. If this setback distance is not achievable in this instance, the Applicant is required to agree in writing with Irish Water an appropriate setback distance to be shown on plan and cross-sectional drawings.

(iii) A wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

5. Drainage

(a) Prior to the commencement of development, the Applicant shall submit for the written agreement of the Planning Authority a Site Layout drawing demonstrating the application of permeable paving to the off-street car parking space associated with the Family Flat and additional Sustainable Drainage Systems (SuDS) measures for both of the single storey extension to the existing dwelling and also the Family Flat. Such measures could include but not be limited to Rain gardens, Green Roof, Water butts and Planter Boxes with overflow connection to the public surface water sewer.

(b) 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, unless otherwise agreed with the Planning Authority.

(c) The applicant shall comply with the Building regulations -Technical guidance document- Part H in relation to all construction works involving new and existing private surface and foul water drains.

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.

6. House Number.

The number of the Family Flat shall be 1A Orchardstown Park, and this number shall be placed on the completed Family Flat prior to its occupation in a manner so as to be clearly legible from the public road.

In the event that this number already exists no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

(a) a street name and dwelling/unit number plan to resolve any possible conflict and,

(b) this has been acknowledged as acceptable in writing by the Planning Authority.

Following receipt of an acknowledgement of acceptability, the agreed number / name shall be placed on the completed house prior to occupation in a manner so as to be clearly legible from the public road.

The applicant, owner or developer is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required plan.

REASON: In the interests of the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

7. Permission Required for Class 1 & 3 Exemptions.

Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.

REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

8. Gates

All gates associated with the off-street car parking space shall open inwards.

REASON: In the interests of traffic and pedestrian safety.

9. 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.

10. 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.

11. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €4, 942.65 (Four Thousand, Nine Hundred and Forty Two Euro and Sixty Five 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.

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.

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.

- (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.

M. Crowley

07-Jun-2023

for Senior Planner