

Byrne Engineering Services
Gormanstown
Kilcullen
Co. Kildare

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

Final Grant Order No.:	0691	Date of Final Grant:	19-Jun-2023
Decision Order No.:	0500	Date of Decision:	10-May-2023
Register Reference:	SD22A/0458	Date:	13-Apr-2023

Applicant: Joseph & Anne Maher

Development: Two storey detached four bedroom house with bedroom in the attic space to side of existing semi-detached house with connection into existing main foul sewer and upgrading of existing entrance to a combined entrance / driveway to access the proposed house and all associated site development works.

Location: 44A Dodsborough Road & Meadowview Grove, Lucan, Co. Dublin

Time extension(s) up to and including:

Additional Information Requested/Received: 15-Feb-2023 / 13-Apr-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 13th April 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. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit a complete set of revised site layout, plan, elevational, sectional and contiguous drawings for the written agreement of the Planning Authority which clearly demonstrate the following design revisions:

(a) A reduction in the ridge height of the proposed dwelling to match that of adjacent dwelling at No. 44 Dodsborough Road.

(b) The boundary pillar between 44 and the proposed dwelling limited to a maximum height of 1.2m and the boundary wall to a maximum height of 0.9m to the front of the dwelling in order to improve forward visibility for vehicles and stepping upwards to no greater than 1.8m to the side and rear of the dwelling to protect the amenity of adjacent properties.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

3. Soil Percolation and Soakaway Design

Prior to the commencement of development, the Applicant shall provide the following information for the written agreement of the Planning Authority:

a) A soakaway design report with greater detail on the site percolation tests carried out. Details to be included in this report include but are not limited to the following:

i) Which individual had carried out the site test, when the test was carried out and which exact location was the test carried out at.

ii) The report shall include the time, date and location of percolation tests. Show the start and end time the test started and length of time it took for the trial hole to drain 50% within 24 hours (Tp75-25 and Vp75-25).

iii) The report shall include the dimensions of test pits, including a cross-sectional drawing including the full depth, effective depth, type of soil.

b) Applicant shall submit a revised drawing clearly showing the overflow connection of the soakaway, including the point of connection to the public surface water network. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:

i) At least 5m from any building, public sewer, road boundary or structure.

ii) Generally, not within 3m of the boundary of the adjoining property.

iii) Not in such a position that the ground below foundations is likely to be adversely affected.

iv) 10m from any sewage treatment percolation area and from any watercourse / floodplain.

v) Soakaways must include an overflow connection to the surface water drainage network.

c) If a 5m setback is not feasible, submit a revised drawing showing additional SuDS and a report showing the capacity of attenuated surface water in proposed SuDS, such as but not limited to the following:

o Raingardens

o Planter boxes with overflow connection to the public surface water sewer

o Permeable paving

o Rainwater harvesting

o Other such SuDS

REASON: In the interests of adequate drainage and water services infrastructure.

4. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

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

5. Drainage - Irish Water.

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

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

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. Protection of Street Trees

The applicant is to ensure the protection of the existing street tree to the side of the proposed dwelling to be retained through the installation of suitable tree protection fencing in order to protect the existing tree during any construction works. Commencement of development should not be permitted without adequate protective fencing being in place in line with BS 5837. This fencing, enclosing the tree protection area 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 areas indicated on plan.

REASON: To ensure the protection of existing street trees.

7. 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.

8. 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.

9. The Unit Number of the proposed dwelling shall be No. 44A Dodsborough Road, unless otherwise agreed in writing with the Planning Authority.
REASON: In the interests of the proper planning and sustainable development of the area.

10. Financial Contributions.

The developer shall pay to the Planning Authority a financial contribution of €14, 292.00 (Fourteen Thousand, Two Hundred and Ninety Two Euro), 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 Act 2000 (as amended). This contribution is to be paid on receipt of Final Grant of Permission.

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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The applicant is advised that, in order to use the attic level (annotated as second floor level on the Applicant's Plans and Particulars) as a habitable room, it must comply with the Building Regulations.

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.

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; please 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

_____ 20-Jun-2023
for Senior Planner