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20-Dec-2022

**NOTIFICATION OF DECISION TO GRANT PERMISSION**  
**Planning & Development Act 2000, as amended**

|                                     |                                  |
|-------------------------------------|----------------------------------|
| <b>Order Number</b> P/2383/22       | <b>Date of Order</b> 19-Dec-2022 |
| <b>Register Reference</b> D22A/0301 | <b>Date Received</b> 29-Apr-2022 |

**Applicant:** Michael and Nuala Griffin  
**Development:** Permission is sought for the demolition of an existing garage shed and the construction of 2 no. new single-storey dwelling houses, each with a floor area of approximately 170sqm, and the construction of a new shared driveway at the existing vehicular access point, together with associated site works and services.  
**Location:** 4 Granville Park, Blackrock, Co. Dublin, A94 HN60  
**Site Area:** 1700sq.m  
**Time Extension up to and including:**  
**Additional Info.** 17-Jun-2022 01-Dec-2022  
**Requested/Received:**

Dear Sir / Madam

In pursuance of its functions under the above mentioned Act, Dún Laoghaire-Rathdown County Council, being the Planning Authority, did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal.

For the avoidance of doubt the reasons and recommendations set out in the planners report were generally adopted as set out in the Executive Order, this can be viewed at the Council Offices or the Council website.

Please note that, in accordance with Section 251 of the Planning and Development Act 2000, as amended, "where calculating any appropriate period or other time limit referred to in this Act or in any regulations made under this Act, **the period between the 24<sup>th</sup> Day of December and the first day of January, both days inclusive, shall be disregarded**".

Signed on behalf of Dún Laoghaire-Rathdown County Council.



Jürgen Kypar

for Senior Executive Officer

#### First Schedule

##### Reasons and Considerations

Having regard to the Objective A zoning of the site, and policies and objectives as set out in the 2022-2028 Dún Laoghaire-Rathdown County Development Plan, it is considered that subject to condition, the development proposed would not detract from the amenities of the area and is consistent with the provisions of the current Development Plan, and is therefore considered to be in accordance with the proper planning and sustainable development of the area subject to conditions.

##### Appropriate Assessment Screening

Having regard to the nature and scale of the proposed development, as clarified and modified by way of Significant Further Information received on 01/12/2022, it has been determined that the proposed development would not significantly impact upon a Natura 2000 Site.

##### Environmental Impact Assessment (EIA) Screening

Having regard to the nature and scale of the proposed development, as clarified and modified by way of Significant Further Information received on 01/12/2022 it is considered that no real likelihood of significant effects on the environment would arise from the proposed development.

#### Second Schedule

##### Conditions

1. The development be carried out in its entirety in accordance with the plans, particulars and specification lodged with the application as amended by the Significant Further Information received on 01/12/2022, 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. Each permitted dwelling house shall be used as a single dwelling unit and shall not be subdivided in any manner or used as two or more separate habitable units.

REASON: To prevent unauthorised development.

3. The disposal of surface water shall be in accordance with the requirements of the Planning Authority as follows:

(a) The surface water runoff generated by the development shall not be discharged to the public sewer but shall be infiltrated locally to a soakaway in accordance with Section 10.2.2.6 Policy Objective EI6: Sustainable Drainage Systems of the County Development Plan 2022-2028, as indicated in the application. The soakaway shall not have an overflow.

The soakaway shall be designed to BRE Digest 365, shall be at a min. 5m from foundations, 3m from adjacent property boundaries and shall have no impact on neighbouring properties. If a soakaway is not a feasible solution then, prior to development, the applicant shall prove that by submitting a report signed by a Chartered Engineer, showing an infiltration test (with results, photos, etc), and shall propose an alternative SuDS measure for agreement with the Planning Authority.

(b) Any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS) i.e. permeable surfacing, and in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas of the County Development Plan 2022-2028. Appropriate measures shall be included to prevent runoff from driveways entering onto the public realm as required. Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.

(c) The proposed green roof shall be designed, installed and maintained in accordance with BS EN 12056-3:2000 and The SUDS Manual (CIRIA C753).

REASON: In the interest of public health.

4. (a) The car parking spaces for the residential units must be sold off with the units and not sold separately or let to avoid non take up by residents who would then park elsewhere at adjoining residential estates where it will create a nuisance as well as undermining the demand management measures of parking constraint. The Applicant shall give an undertaking in this respect in writing.

As per drawing D22A/0301 SF.I. Vehicle movement & parking allocations dated 28.11.22. the following allocation shall be implemented:

- Parking space 1 and 2 shall serve 4 Granville Park
- Parking space 3 and 4 shall serve housing unit 1
- Parking space 5 and 6 shall serve housing unit 2

(b) The proposed internal access road shall be designed to meet Dún Laoghaire-Rathdown County Council's Taking-in-Charge requirements

[https://www.dlrcoco.ie/sites/default/files/atoms/files/dlr\\_tic\\_policy\\_may\\_2022\\_1.pdf](https://www.dlrcoco.ie/sites/default/files/atoms/files/dlr_tic_policy_may_2022_1.pdf) and all to the satisfaction of the Planning Authority (Transportation & Water Services Department). For 'Taking-in-Charge' standards to meet a 40-year design life a minimum 200mm depth of flexible road surfacing is recommended for carriageway construction within all shared private and public space. The following minimum road construction surfacing depths are recommended:

- 40mm Clause 942, surface course
- 60mm Clause 906, binder course
- 100mm, base course macadam
- minimum 150mm Clause 804

Cobblelock or similar block paving shall not be used.

(c) The footpath in front of the proposed widened vehicular entrance shall be dished and strengthened at the Applicant's own expense including any moving / adjustment of any water cocks / chamber covers and all to the satisfaction of the appropriate utility company and Planning Authority.

With regards to the dishing and strengthening of the footpath the Applicants shall contact the Road Maintenance & Roads Control Sections to ascertain the required specifications for such works and any required permits.

(d) The Applicants shall ensure that the driveway/parking area only shall be utilized for sustainable drainage systems (SuDS) and to the satisfaction of the Planning Authority.

(e) The Applicants shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining property(s) as a result of the site construction works and repair any damage to the public road arising from carrying out the works

REASON: In the interest of orderly development.

5. Retained trees and hedgerows shall be protected from damage during construction works. Within a period of six months of the proposed development, any planting which is damaged, or dies shall be replaced with others of similar size and species.

REASON: In the interest of orderly development.

6. Construction hours shall be restricted to between the hours of 0700hrs-1900hrs Monday to Friday and 0800hrs-1400hrs on Saturdays. No construction works to be carried out on Sundays and Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. REASON: In order the safeguard the residential amenities of property in the vicinity.

7. All public services to the proposed development, including electrical, telephone cables and equipment shall be located underground throughout the entire site.

REASON: In the interest of amenity.

8. An acceptable house numbering scheme, shall be submitted for the written agreement of the Planning Authority prior to the commencement of development on site.

REASON: In the interest of orderly development.

9. Access to roof areas shall be restricted for the purpose of maintenance works only.

REASON: In the interest of residential amenities.

10. Prior to the commencement of development on site a CEMP shall be submitted for the written agreement of the Planning Authority. This must reduce any adverse impacts from construction on the environment and health and control any temporary emissions during the construction phase to prevent nuisance or adverse health effects. The plan should take into account the following: Waste Management, Staff welfare facilities, Pest Control Management, Dust impacts, Excessive noise, emissions to Surface and / or Ground Water. The plan shall provide details of the measures that require to be implemented to ensure that potential impacts relating to noise nuisance and disturbance, dust deposition nuisance and vibrational impacts are effectively minimised, controlled and monitored to ensure that site construction activities do not have an adverse or unacceptable impact on local receptors, adjacent property, adjacent users and human health and on the wider receiving environment for the written agreement of the Planning Authority (Environmental Enforcement). In particular the Plan shall specifically address (i) Hazardous Waste, (ii) Excavated Material and (iii) Liaison Officer with Local Community.



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

11. Prior to the commencement of development, the applicant shall submit, for the written agreement of the Planning Authority (Environment Section), a Detailed Construction and Demolition Waste Management Plan consistent with the Circular WPR 07/06 - Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects, published by the DECLG, July 2006. This Plan shall provide details of the measures regarding (i) Overall waste management, (ii) Waste compound, (iii) Waste reuse and recycling management, (iv) Hazardous waste identification and management, and (v) Excavated materials and demolition waste.

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

12. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €592.22 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Planning Authority in respect of the provision of Surface Water Public Infrastructure and Facilities benefiting development in the area of the Authority, as provided for in the Development Contribution Scheme made by Dún Laoghaire-Rathdown County Council on the 14th December, 2015. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index (See Article 12 of the Scheme) commencing from 1st January, 2018. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Note 1 to the Table at Article 9 of the Scheme. Outstanding balances may be subject to interest charges.

REASON: It is considered reasonable that the payment of a contribution be required in respect of the provision of the Surface Water 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 on above Condition:

Please note that with effect from 1st January, 2014 Irish Water are now the statutory body responsible for both water and waste water services. Accordingly, the contribution payable has been reduced by the amount of the contribution associated with these services. Further details/clarification can be obtained from Irish Water at Tel. 1 850 278 278.

13. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €13,561.94 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Planning Authority in respect of the provision of the Roads Public Infrastructure and Facilities benefiting development in the area of the Authority, as provided for in the Development Contribution Scheme made by Dún Laoghaire-Rathdown County Council on the 14th December, 2015. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSi Tender Price Index (See Article 12 of the Scheme) commencing from 1st January, 2018. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Note 1 to the Table at Article 9 of the Scheme. Outstanding balances may be subject to interest charges.

REASON: It is considered reasonable that the payment of a contribution be required in respect of the provision of the Roads 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.

14. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €8,803.40 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Planning Authority in respect of the provision of the Community & Parks Public Infrastructure, Facilities and Amenities benefiting development in the area of the Authority, as provided for in the Development Contribution Scheme made by Dún Laoghaire-Rathdown County Council on the 14th December, 2015. These rates of contribution shall be updated effective from 1 January each year during the life of the Scheme in accordance with the SCSI Tender Price Index (See Article 12 of the Scheme) commencing from 1st January, 2018. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in Note 1 to the Table at Article 9 of the Scheme. Outstanding balances may be subject to interest charges.

REASON: It is considered reasonable that the payment of a contribution be required in respect of the provision of the Community & Parks Public Infrastructure, Facilities and Amenities 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.

15. No development on foot of this permission shall commence until security for the provision and satisfactory completion of services (including roads, footpaths, open spaces, public lighting, sewers, watermains and drains) in accordance with the Plans and particulars lodged with the application, has been given by:-

a) Lodgement with the Council of an approved Insurance Company Bond in the sum of €28,000.00 which shall be kept in force by the Developer until such time as Roads, Open Spaces, Car Parks, Sewers, Watermains and Drains are completed to the satisfaction of the Council OR/...

b) Lodgement with the Council of a Cash Sum of €17,200.00 to be applied by the Council at its absolute discretion if such services are not duly provided to its satisfaction on the provision and completion of such services to standard specifications.

REASON: To ensure that a ready sanction may be available to the Council to induce the provision of services and prevent disamenity in the development.

16. This development shall not be carried out without prior agreement, in writing, between the Applicant and the Planning Authority relating to the payment of development contributions.

REASON: Investment by Dún Laoghaire-Rathdown County Council in Local Authority works has facilitated and will facilitate the proposed development. It is considered appropriate and reasonable that the developer should contribute to the cost of same.

NOTE 1: The following requirements of Irish Water shall be complied with in the proposed development:

- The applicant must sign a connection agreement with Irish Water prior to any works commencing and connecting to our network.
  - Irish Water does not permit any build over of its assets and separation distances as per Irish Waters Standards Codes and Practices must be achieved.
- Where any proposals by the applicant to build over or divert existing water or wastewater services subsequently occurs the applicant submit details to Irish Water for assessment of feasibility and have written confirmation of feasibility of diversion(s) from Irish Water prior to connection agreement.
- All development is to be carried out in compliance with Irish Water Standards codes and practices.

NOTE 2: The attention of the Applicant is drawn to Section 34(13) of the Planning and Development Act,2000 (as amended),which relates as follows- 'A person shall not be entitled solely by reason of a permission under this section to carry out any development'.

NOTE 3: In the event of encroachment or over-sailing of the adjoining property,the consent of the adjoining property owner is required.

NOTE 4: The Applicant is advised that all/any requirements of the Environmental Health Office shall be ascertained and strictly adhered to.

NOTE 5: The Applicant is advised that all/any requirements of the Environmental Health Office – Air Pollution and Noise Control Unit shall be ascertained and strictly adhered to.

### **(1) Submissions / Observations**

**NOTE:** In deciding this planning application, the planning authority, in accordance with Section 34 (3) of the Planning and Development Act 2000, as amended, has had regard to any submissions or observations received, in accordance with the Planning and Development Regulations 2001 to 2012 pertaining to the application.

### **(2) Removal of Site Notice**

**NOTE:** The applicant is reminded that in accordance with Article 20 of the Planning and Development Regulations 2001 to 2012, any site notice erected or fixed pertaining to this application shall be removed (if not already done so) following receipt of this notification.

## **FURTHER NOTES**

### **APPEALS**

This decision of the Planning Authority does not authorise works to commence and may be appealed to An Bord Pleanála by an Applicant or any person who made submissions or observations in writing in relation to this application to the Planning Authority.

A person who has an interest in adjoining lands in respect of which permission has been granted and who did not make a submission or observation under Section 37(6)(a) of the Planning and Development Act, 2000, as amended may apply to the Board for leave to appeal the decision of the Planning Authority. Appeals should be sent to:

**The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1.**

**Tel: 01-8588100**

Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start.

The Board must receive an appeal within four weeks, beginning on the date of the decision set out above. A Third Party appeal will be invalid unless accompanied by the prescribed fee and a copy of the acknowledgement of receipt from the Planning Authority in respect of a submission/observation.

### **GRANT OF PERMISSION**

In the case of a notification of a decision to Grant Permission, where no appeal is received by An Bord Pleanála against the decision, a PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the making of an appeal.

### **REFUND OF FEES – REPEAT PLANNING APPLICATION**

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of 8 weeks beginning on the date of Planning Authority's decision on the second application. Please consult the Planning & Development Regulations, 2001 to 2010, for full details of fees, refunds and exemptions.