

An Rannóg Talamhúsáide, Pleanála agus Iompair
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Marina Moloney & Niall McNamara
St. John's
Oldcourt Road
Dublin 24

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

Final Grant Order No.:	0626	Date of Final Grant:	06-Jun-2017
Decision Order No.:	0470	Date of Decision:	28-Apr-2017
Register Reference:	SD17A/0066	Date:	06-Mar-2017

Applicant: Marina Moloney & Niall McNamara
Development: (1) Demolition of existing 5 bedroom, single storey detached bungalow. (2) Construction of 10 duplex apartments in a part 2-storey, part 3-storey block (six 3-bed and four 2-bed) with associated car parking all ancillary developments works.
Location: St. John's, Oldcourt Road, Dublin 24

Time extension(s) up to and including:
Additional Information Requested/Received:

A Permission has been granted for the development described above, subject to the following conditions.

Conditions and Reasons:

- The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, 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.
- The drainage infrastructure, including the disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section and/or Irish Water as appropriate.
In this regard, no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority:
 - Fully detailed revised plans detailing and providing for all the requirements set out below, along with;
 - The written confirmation of the Council's Water Services Section and or Irish Water of their agreement to these revised plans, and;
 - A written commitment to carry out the development in accordance with the required revised plans and;
 - The receipt for all these requirements has been acknowledged in writing by Planning Authority.

The revised detailed plans required to be lodged with the Planning Authority shall provide for all of the following:

- (a) Fully detailed foul and surface water drainage plans for the proposed development showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or Irish Water,
- (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.
- (c) The drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Council's Water Services Section or Irish Water.
- (d) All drainage works for this development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from <http://environment.southdublin.ie> (click-publications then specifications) or the requirements of Irish Water (as may be amended from time to time).
- (e) Design details of any soakaway shall comply with the Council's Water Services Section requirements and clearly with appropriate documented evidence, i.e. infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365. The soakaway design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance. The revised plans shall provide for a soakaway to be located within the curtilage of the property and this shall be:
- (i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.
 - (ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.
 - (iii) a minimum of 10m from any sewage treatment percolation area.
 - (iv) at least 10m from any stream/river/flood plain.
 - (v) only rainwater shall be discharged to soakaways.
- (f) Revised drawings showing the watermain layout in compliance with the Building Regulations 2010 Technical Guidance Document B and the Irish Water Standard Details, available at <http://www.water.ie/help-centre/connections>). Fire hydrants should be a minimum of 6m from proposed building and watermain should be a minimum of 3m from proposed building. Fire hydrants shall remain in line of watermain.
- (g) Details of proposed pumps and balancing tanks as per Irish water Standards where 3 storey building is proposed. All watermain details shall comply with Irish water Standards and Building Regulation 2010.
- (h) Revised drawing such that the proposed foul drain is diverted around proposed surface water trench soakaway. No foul drain shall cross over, under or through proposed surface water trench soakaway.
- (i) Revised foul drain layout such that the pipe size diameter of proposed foul drain is increased to comply with Building Regulations 2010 Technical Guidance Document H. Note the minimum size of a foul drain serving 3 or more dwellings should be 150mm and no single drain should serve more than 8 dwellings. A drain serving more than 8 dwelling require a minimum pipe diameter of 225mm.
- (j) The foul drain layout shall comply with Irish water Standards <http://www.water.ie/help-centre/connections>) and Building Regulations 2010 Technical Guidance Document H.
- REASON: In the interests of public health, safety and in order to ensure adequate and appropriate surface water drainage provision.

3. No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

(i) A Public Lighting Scheme for the development as approved, designed to provide for high

quality public lighting throughout the public realm of the site, prepared by competent public lighting design consultants to BS5489: European Lighting Standard EN13201 and the SDCC Specification for Public Lighting Installations in Residential and Industrial Developments: Revision 2 dated 14/10/2016, along with;

(ii) Written confirmation from the Council's Public Lighting Section that the scheme is fully in compliance with the above standards applicable, and

(iii) A written commitment to implement the agreed Public Lighting Scheme in full, and

(iv) All the above requirements have been acknowledged in writing as acceptable by the Planning Authority.

Completed Lighting Design and Electrical designs to serve the entire development including details of the overall height of all proposed equipment shall be lodged with the Public Lighting Scheme.

Appropriate natural or artificial lighting or both shall be provided and maintained throughout car parking areas.

The external lighting scheme shall be designed to minimise potential glare and light spillage and shall be positioned and/or cowed away from residential properties. No lighting column shall be located within the eventual canopy spread of any proposed street tree or other tree as the case may be. The public lighting design consultants should consult with the Council's Parks section in this regard.

In addition, no dwelling unit / commercial unit shall be occupied on any street until the public lighting provided for that street is operational fully in accordance with the agreed Public Lighting Scheme for the overall development.

The applicant, owner or developer may consult with the Council's Public Lighting Section before lodging the required plan for agreement.

REASON: In the interests of public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.

4. No development shall take place under this permission until the applicant, developer or owner has:

(i) First agreed with the Council's Parks and Landscape Services Section and subsequently lodged with the Planning Authority a detailed landscape plan with full works specification, and

(ii) This has been acknowledged by the Planning Authority.

This plan to include grading, topsoiling, seeding, paths, drainage, boundary treatment, planting and street trees planting.

These works to be in accordance with South Dublin County Council's Guidelines for Open Space Development & Taking in Charge available from the Council's Parks and Landscape Services Section.

The agreed scheme shall be implemented in the first planting season after the commencement of development. Thereafter, the scheme shall be maintained in perpetuity.

REASON: In the interests of amenity, and the proper planning and sustainable development of the area.

5. A parking space shall be allocated to each dwelling unit. No parking spaces shall be sold or sublet independently of the dwelling units.

REASON: In the interest of orderly development and residential amenity.

6. That the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997;

(i) enter into an agreement with the Housing Authority for compliance with the Part V of the



Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2016-2022, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and (ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.

REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2016-2022.

- 7. A. No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;
 - (i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the first residential unit, and this plan shall also clearly identify and dimension any areas of the approved development intended to be offered for taking in charge by the Council, and;
 - (ii) This has been acknowledged in writing by the Planning Authority.

The said external common areas of the development to be retained in private ownership indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.

B. Continued membership of an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the development.

C. No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

- (i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above, and
- (ii) This also has been acknowledged in writing by the Planning Authority.

D. Any changes to the status or nature of the Owners' Management Company shall be notified to the Council forthwith.

E. The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.

REASON: To ensure a proper standard of residential development and maintenance of the private areas within the development and compliance with the South Dublin County Council Development Plan.

- 8. All construction waste arising from the site shall be managed in accordance with all relevant statutory provisions and an agreed Construction Waste Management Plan.
A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of works on site the applicant, owner or developer shall lodge with the Planning Authority;
 - (i) A Project Construction Waste and Demolition Management Plan that accords with the requirements both of the Council's Waste Management Section and the Council's Waste Enforcement and Licensing Section;
 - (ii) The written confirmation of the Council's Waste Management Section of their agreement to the Project Construction Waste and Demolition Management Plan, and;

(iii) A written commitment to carry out the development fully in accordance with the agreed Project Construction Waste and Demolition Management Plan and;

(iv) These requirements have been acknowledged in writing by the Planning Authority.

All construction and demolition waste shall be managed in accordance with this plan which shall be prepared in accordance with the 'Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects', published by the Department of the Environment, Heritage and Local Government in 2006 and the provision of the Waste Management Plan for the Dublin Region. The plan shall include details to the satisfaction of the Council's Waste Management Section and the Council's Waste Enforcement and Licensing Section for all waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Eastern-Midland Region. The plan should also be informed by any Construction Traffic Management Plan required to be prepared and agreed that addresses intended construction practice for the development, including hours of working, construction traffic access route and noise management measures and details of measures to protect watercourses on or adjoining the site from the spillage or deposit of clay, rubble, waste or other debris.

REASON: In the interests of public safety, compliance with Development Plan Policy and sustainable waste management.

9. No development shall take place under this permission until the applicant, developer, or owner has lodged with the Planning Authority:

(i) A dwelling/unit numbering scheme, for the approved development that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme, and

(ii) This has been acknowledged as acceptable in writing by the Planning Authority.

Following receipt of an acknowledgement of the agreed scheme, the agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a manner to be clearly legible, and in accordance with Council requirements.

The development name should;

1. Avoid any duplication within the county of existing names, and
2. Reflect the local and historical context of the approved development, and
3. Comply with;

(a) Development Plan policy, and

(b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and

(c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and

(d) Preferably make exclusive use of the Irish language.

Proposals for an apartment name and numbering scheme and associated signage shall be lodged with the Planning Authority before any development takes place.

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

REASON: In the interest of the proper planning and sustainable development of the area and compliance with South Dublin County Council's Development Plan.

10. No development shall take place under this permission until the applicant, developer or owner has lodged with the Planning Authority;

(i) A detailed plan providing for the infrastructure and space for the collection of all domestic waste arising, including all recyclable waste from the approved development that fully accords with the Council's policy, standards and requirements, that will be maintained in good condition in perpetuity and,

(ii) Confirmation from the Council's Roads and Waste Management sections that the plan required above is in accordance with all Council requirements and,

(iii) The above has been acknowledged by the Planning Authority.

The applicant, developer or owner is advised to consult with the Council's Roads and Waste Management sections in advance of lodging the required plan.

REASON: In order to ensure that the site is adequately and safely serviced and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

11. 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.

12. No Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) shall be operated on or adjacent to 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 work outside these hours 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 unwanted noise outside the hours stated above.

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.

13. The developer shall pay to the planning authority a financial contribution of €92,034.92 (ninety two thousand and thirty four euros and ninety two cents), 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 2016 - 2020, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the planning authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2016 - 2020.

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.

14. Pursuant to this decision, no development shall be commenced until security for the provision, satisfactory completion and maintenance, to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), of roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development, has been given by:

(A) Lodgement of a cash deposit of €49,690.00 (forty nine thousand six hundred and ninety euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County Council and applied by South Dublin County Council at its absolute discretion, if roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), or

(B) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of €57,150.00 (fifty seven thousand one hundred and fifty euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development.

REASON: To ensure that a ready sanction may be available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

NOTES:

Note 1: The developer is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

Note 2: To protect the amenities of the area, 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 3: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

Note 4: In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

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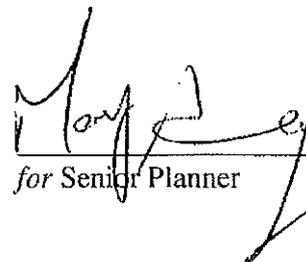
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Note 5: Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department. Under this Act, non compliance constitutes an offence.

Note 6: 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.

- (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.



for Senior Planner

07-Jun-2017