

Deaton Lysaght Architects
44, South Richmond Street
Dublin 2.

18 DEC 2015

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

Final Grant Order No.:	1164	Date of Final Grant:	16-Dec-2015
Decision Order No.:	1008	Date of Decision:	03-Nov-2015
Register Reference:	SD15A/0197	Date:	09-Oct-2015

Applicant: KDM Construction Ltd.

Development: Construction of one detached four-bedroom and two semi-detached three-bedroom dormer bungalows with new entrances from Bohernabreen Cottages and Allenton Drive with associated demolition of garden sheds and new boundary walls and siteworks to the rear of 7 Bohernabreena Cottages, Dublin 24.

Location: 7, Bohernabreena Cottages, Bohernabreena Road, Dublin 24

Time extension(s) up to and including

Additional Information Requested/Received 22-Jul-2015, 28-Aug-2015 / 21-Jul-2015, 09-Oct-2015

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

Conditions and Reasons:

1. 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 the 09th October 2015, 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. 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:

(1) Fully detailed revised plans detailing and providing for all the requirements set out below, along with;

(2) The written confirmation of the Council's Water Services Section and or Irish Water of their agreement to these revised plans, and;

(3) A written commitment to carry out the development in accordance with the required revised plans and;

(4) 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.

REASON: In the interests of public health, safety and in order to ensure adequate and appropriate surface water drainage provision.

3. The kerbs and footpath at the vehicle entrance(s) shall be
 - (a) dished at the applicant's, developer's or owner's expense, to the requirements of the Planning Authority and
 - (b) completed in accordance with the terms of a Lowering of Footpath Licence to be obtained by the applicant, developer, or owner from the Council before any works are carried out.
 REASON: In the interests of public safety and the proper planning and development of the area.
4. No gate to be installed or erected shall be capable of opening across any public footpath, roadway or right of way.
REASON: In the interests of visual amenity and pedestrian safety.
5. The houses shall be used as single dwelling units and shall not be sub-divided or used for commercial purposes.
REASON: To prevent unauthorised development.
6. All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

REASON: In the interests of the visual amenities of the area and proper planning and sustainable development of the area.

7. Prior to commencement of development, an acceptable house number/name shall be submitted for the written agreement of the Planning Authority.

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

8. The applicant, developer or owner shall ensure the following is carried out and completed in respect of the proposed development in accordance with the Planning Authority's requirements:

(i) The provision of 2 off street parking spaces per house at both the existing and proposed houses.

(ii) The relocation of public light pole at the applicant's, developer's or owner's own expense (if necessary).

The applicant, developer, or owner is advised to consult with the relevant section of the Planning Authority to establish its requirements.

REASON: In the interest of public and traffic safety.

9. The following requirements of the Planning Authority shall be strictly adhered to:
(i) Planting in accordance with the Planning Authority's requirements shall be implemented in the front garden area in the first planting season following completion of the development. The applicant, developer, or owner is advised to consult with the relevant section of the Planning Authority to establish its requirements.

(ii) The rear garden walls separating the existing house No. 7 from the proposed house and between the rear gardens of the proposed houses shall be 2 metres high constructed of block suitably capped and rendered or similar durable materials.

REASON: In the interest of the protection of residential amenity and the maintenance of visual amenity.

10. No dwelling unit shall be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.

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

11. All materials disposed of from the site shall be removed by a specialist contractor and sent to an appropriate authorised facility.

REASON: To ensure proper disposal of materials on the site.

12. The surface treatment of the car parking area and driveway serving the proposed dwellings shall comprise of a permeable material.

REASON: In the interest of providing sustainable drainage.

13. 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.

14. No Equipment or Machinery (to include pneumatic drills, 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.

15. The developer shall pay to the planning authority a financial contribution of €39,255.19 (thirty nine thousand two hundred and fifty five euros and nineteen 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 2013-2015, 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 2013-2015.

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 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. 01 6021000 or by emailing customerservice@water.ie.

16. 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 €20,082.00 (twenty thousand and eighty two 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 €24,129.00 (twenty four thousand one hundred and twenty nine 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 of these lands 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: The 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 3: 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 4: 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. 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.

Note 5: The developer of these lands is advised that prior to the commencement of development on the public road, a Road Opening licence should be secured from South Dublin County Council Roads Maintenance Department. This is required in order to comply with The Roads Act 1993 Section 13 Paragraph 10. Under this Act, non compliance constitutes an offence.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice.
- (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

17-Dec-2015

Land Use, Planning and Transportation Department
An Rannóg Talamhúsáide, Pleanála agus Iompair
Telephone: 01 4149000 Fax: 01 4149104
Email: planning.dept@sdblincoco.ie

**Re: South Dublin County Council 2013 - 2015 Development Contribution
Scheme & Water Services (No. 2) Act 2013 - Revised development
contribution levels in grants of permission.**

Dear Sir/Madam,

As an effect of the commencement of the Water Services (No. 2) Act 2013 a range of statutory water services functions transferred from local authorities to Irish Water from 1st January 2014.

One of the effects of this process , notified to local authorities by the Department of the Environment, Heritage and Local Government, is that after 1st January 2014, planning authorities, *when granting permission*, should no longer include a development contribution charge in respect of water services infrastructure in any development contribution applied. The effect of this change is that the South Dublin County Council development contribution contained in your planning permission has reduced by 3.64%.

However the Department of the Environment , Heritage and Local Government has further advised that a charge in respect of water services infrastructure provision in respect of developments granted planning permission after 1st January 2014 will instead be levied by Irish Water.

In this regard please see overleaf information notice from Irish Water. Further queries in this regard may be directed to Irish Water at 1890 278 278 or by emailing customerservice@water.ie

Yours faithfully


PP Administrative Officer



Information Note - Public Water and Waste Water Networks

Uisce Éireann
Bosca OP 6000
Baile Átha Cliath 1
Éire

Irish Water
PO Box 6000
Dublin 1
Ireland

T: +353 1 602 1000
F: +353 1 602 1330
www.water.ie

Connections

On the 1st of January 2014 Irish Water became the statutory body with the responsibility for all water services, both water and waste water. Therefore any persons seeking a connection to any public network, either water or waste water, should make an application directly to Irish Water. A Connection Agreement between Irish Water and the applicant will be required, prior to any connection being agreed, and will set out the conditions and charges to be applied to the connection. Details, including availability of application forms, are to be found on the Irish Water website www.water.ie. The agreement of Irish Water should be obtained prior to any works commencing.

Under the provisions of Section 55(1)(a) of the Water Services Act 2007 (the Act) it is an offence for a person to cause or permit the connection of a premises to the public water supply network, either directly or indirectly, or to otherwise take a water supply without the agreement of Irish Water.

Similarly under the provisions of Section 61(1) (a) of the Act, it is an offence for a person to cause or permit the connection of a premises to the public waste water collection network, either directly or indirectly, without the agreement of Irish Water.

Increased Impacts

Where a new Planning Permission relates to a development served by an existing connection, and where Irish Water deems that the impact on the provision of water services is significant, then a new/revised Connections Agreement with Irish Water will be required, subject to appropriate conditions, including charges as set out therein.