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17-Jul-2018

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

<b>Order Number</b> P/1650/18	<b>Date of Order</b> 17-Jul-2018
<b>Register Reference</b> D18A/0480	<b>Date Received</b> 23-May-2018

**Applicant:**

**Development:**

Denise Charlton

Permission for a part 2-storey/part single-storey flat roofed detached 3 bedroom dwelling, comprising 139 sqm with 2 off street parking spaces on a site comprising part of the rear gardens of no. 3 and 4 Bloyke with a new automated vehicular access gate within the existing stone boundary wall to the access lane. The proposed development will be screened from Harbour Road by 0.8m high timber fence above the existing stone boundary wall. Permission is also sought for all associated landscaping, boundary wall works and drainage works.

**Location:**

Site at rear of no. 3 & 4 Bloyke, Harbour Road, Dalkey, Co Dublin

**Site Area:**

378sq.m

**Time Extension up to and including:**

**Additional Info.**

**Requested/Received:**

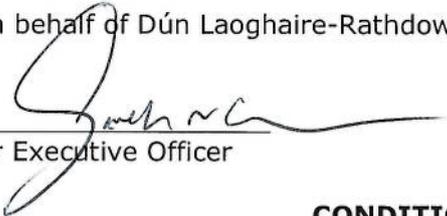
Dear Sir / Madam

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.

Subject to the **12** conditions on the attached numbered pages.

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.

  
for Senior Executive Officer

### **CONDITIONS AND REASONS**

1. The development be carried out and retained in its entirety in accordance with the plans, particulars and specification 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.

2. The proposed house shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more separate habitable units.

REASON: To prevent unauthorised development.

3. Development described in Classes 1 or 3 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (as amended), or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwelling house without a prior grant of planning permission.

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

4. The parapet height of the external walls of the proposed dwelling, along the shared boundaries of the site with No. 3 Bloyke, shall be reduced insofar as possible whilst ensuring that the internal accommodation complies with the Building Regulations. Prior to the commencement of development, the Applicant shall submit for the written agreement of the Planning Authority, drawings showing compliance with the aforementioned requirements.

REASON: In the interest of visual and residential amenity.

5. The proposed boundary treatment, inclusive of the timber screen along Harbour Road

shall have a maximum height of 1.8 metres above the level of the adjoining public footpath. Prior the commencement of development, the Applicant shall submit for the written agreement of the Planning Authority, drawings showing compliance with the aforementioned requirement and a sample of the proposed timber screen.

REASON: In the interest of visual amenity.

6. Samples of all external finishes including materials, colours and textures shall be submitted prior to the commencement of development, for the written agreement of the Planning Authority.

REASON: In the interest of visual amenity.

7. The surface water generated by the proposed new house (roofs and pavements) shall not be connected directly to the drains, but it shall be sent, for infiltration, to a soakpit. The soakpit may have an overflow to the combined sewer (as shown on the planning application drawings received on 23 May, 2018) but that shall only be a high level overflow. The soakpit shall be designed to BRE Digest 365, shall be at a minimum of 5 metres from the buildings and shall have no impact on the neighbouring properties.

REASON: In the interest of public health and amenity.

8. All new hardstanding areas shall be constructed either with gravel or a specifically designed permeable paving stone system. The Applicant shall ensure that drainage from the proposed new driveway / parking area does not enter onto the public road.

REASON: In the interest of public health and amenity.

9. The Applicant 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 proper planning and sustainable development of the area.

10. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €235.27 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.

11. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €5,387.87 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.

12. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €3,497.40 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.

Note 1: 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 2: That water supply and foul drainage shall be in accordance with the requirements of Irish Water.

### **(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.