



McCrossan O'Rourke Manning Architects
Block E, Iveagh Court
Harcourt Road
Dublin 2

**NOTIFICATION OF GRANT OF Permission
Planning & Development Act 2000, as amended**

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| Final Grant Order Number p/0288/11 | Date of Final Grant 24-Feb-2011 |
| Decision Order Number P/0067/11 | Date of Decision 18-Jan-2011 |
| Register Reference D10A/0293 | Date Received 31-May-2010 |

Applicant

The Boulders Partnership

Development:

Permission is sought to amend previously permitted development Reg. Ref.D08A/0079. Amendments are proposed to the permitted site layout from houses No. 2 - 4 inclusive, which are currently 3 no. detached two storey plus dormer 4 bedroom houses, to include an additional house and revised house types in a new arrangement of 4 no. semi-detached two storey plus dormer 5 bedroom houses. All with associated parking & site development works, located on a 0.29 hectare site.

Location

The Boulders, 182, Rochestown Avenue, Dun Laoghaire, Co. Dublin

Floor Area

877 Sq. Metres

Time extension(s) up to and including

Additional Information Requested/Received: 21-Jul-2010, 22-Oct-2010/29-Sep-2010, 13-Dec-2010

A Permission has been granted for the development described above, subject to the (19) Conditions on the attached Numbered Pages.

Signed on behalf of Dún Laoghaire-Rathdown County Council

Sinead Hayden

for Senior Executive Officer

Date: 24-Feb-2011



Conditions and Reasons

1. The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by Additional Information received on 29/09/2010 and as amended by Clarification of Additional Information received on 13/12/2010, 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 applicant shall retain the services of an arboricultural consultant throughout the life of the site development works to ensure the protection of all trees listed for retention. In addition, the applicant shall implement all the recommendations pertaining to tree retention as outlined within the submitted tree report dated August 2010. Prior to commencement, the services installer shall provide a detailed method statement taking account of the recommendations of the project arborist to include supervision of works where necessary, the erection of protective fencing, the restriction of the works where they come close to the fenced off areas around the trees and the use of machinery. This method statement shall be submitted for the written agreement of the Planning Authority prior to the commencement of the development. All recommendations contained in the submitted tree report, including tree felling, surgery and remedial works shall be completed within one year of the completion of development works on the site. The arborist shall carry out a post construction tree survey/assessment on the condition of the retained trees. A completion certificate shall be signed off by the Arborist when all works are completed and in line with the submitted original tree report and landscape drawings. This completion certificate shall be submitted for the written agreement of the Planning Authority.
REASON: In the interest of visual amenities.
3. Retained trees shall be protected during the course of construction by a 2.3 m high fence using vertical and horizontal scaffolding bars and weldmesh as per fencing detail on Dwg. No. BRD001. The protective fencing shall be erected along the line as indicated on Dwg No. BRD001 and according to BS 5837- 2005, Trees in relation to Construction - Recommendations. No materials are to be stored within the protective fencing zone, there are to be no incursions of machinery into the tree protection zone. Notices are to be placed on all protective fences stating that the trees within the fence are protected.
REASON: In the interest of visual amenities.
4. To ensure the protection of trees on the site a Tree Bond to the value of €30,000 is to be lodged with Dun Laoghaire Rathdown County Council, to be refunded upon inspection by the Parks Department on the completion of works, provided that trees listed to be retained are alive and in good condition with a useful life expectancy.
REASON: In the interest of visual amenities.

5. Each car parking space shall have a minimum depth of 5.5m to ensure the parked car does not overhang onto the road/footway and a minimum width of 3.0m shall be provided to allow for clearance between the parked car and the other parked car/boundary.
REASON: In the interest of the proper planning and development of the area.
6. The applicant shall ensure that the footway within the development links to the footpath on Rochestown Avenue in accordance with accessibility best practice.
REASON: In the interest of the proper planning and development of the area.
7. The Applicant shall at his own expense provide a ramped entry treatment at the proposed development access road entrance off Rochestown Avenue. All works to be carried out on the public road (including footpaths, cycleways and verges etc) shall be carried out in accordance with the requirements/details set out in the Dun Laoghaire-Rathdown County Council document 'Development Works in Residential and Industrial Areas' and to meet the Council's 'Taking-in-Charge' requirements and all to the satisfaction of the Transportation Department (including the Quality Bus Network Project Office).
REASON: In the interest of the proper planning and development of the area.
8. The redundant footpath dishing at the existing entrance off Rochestown Avenue shall be removed and reinstated to the requirements of the Planning Authority at the applicant's expense.
REASON: In the interest of the proper planning and development of the area.
9. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council. In this regard:
 - a) All drainage works shall be carried out to acceptable standards including the provision of adequate pipe gradients. Pipes shall be appropriately sized throughout. In this regard, any drain serving more than two houses shall be at least 150mm diameter.
 - b) Finished ground floor levels shall be at a suitable minimum elevation above all relevant drainage cover levels.
 - c) No surface water shall be discharged to the foul drainage system.
 - d) All development works in public roads shall comply with the Council's publication: 'Development Works in Residential and Industrial Areas'. In particular maximum allowable trench widths shall not be exceeded, and appropriate materials shall be used for pipe bedding, surround and trench filling, all compacted as appropriate.
 - e) The surface water drainage is to be in accordance with the recommendations of the Greater Dublin Strategic Drainage Study (GSDSDS) in relation to Sustainable Drainage Systems (SuDS) and should generally meet the four criteria set out in the GSDSDS document 'Regional Drainage Policies, Technical Document, Volume Two, New Development' i.e. river water quality protection, river regime protection, level of service (flooding) for site and river flood protection. The surface water runoff from the site shall be collected and managed for the life of the development in such a manner as to meet the requirements of Best Management Practice for urban storm water drainage. (CIRIA ref. C697).
 - f) Surface water shall be disposed of in a satisfactory and nuisance-free manner.



(Note: Soakaways and similar disposal systems should only be used where it has been established that the site is suitable in every respect for such use. They should also be located at suitable minimum distances from boundaries).

- g) In the case of any drainage pipe which is to be Taken in Charge or whose nominal diameter is 225mm or greater, the applicant shall carry out a CCTV survey over the full length of such service pipe when constructed and shall provide the Council with the results of such survey, together with a satisfactory report, before such pipe system is connected to any receiving pipe or outfall system.
- h) The proposed Wayleave associated with the 225mm diameter surface water outfall from the internal road/parking areas shall be not less than 6 metres in width throughout, clear of buildings and structures.
- i) The proposed 150mm diameter watermain shall end with duckfoot hydrants at both ends of the main.
- j) A separate water supply shall be taken from the proposed watermain to serve each of the proposed dwellings and provided with a suitable WSC (Water Service Control) unit or acceptable equivalent.

REASON: In the interest of public health.

NOTE. Details of drainage systems within the site are a matter for compliance with the Building Regulations.

- 10. Prior to the commencement of construction the applicant shall submit written evidence to the Planning Authority of the permission of the neighbouring landowner to allow the proposed 225mm diameter surface water pipe draining the applicant site to cross through their (neighbouring landowner) lands.
REASON: In the interest of orderly development.
- 11. Prior to commencement of development, the developer shall comply with the Dun Laoghaire Rathdown County Council Housing Strategy, drawn up in accordance with Part V, Section 96(4) of the Planning & Development Act, 2000, as amended by Section 3 of the Planning & Development (Amendment) Act, 2002, and in accordance with agreement to be reached with the County Council Housing Department unless the developer shall have applied for and been granted an exemption certificate under Section 97 of the Planning and Development Act, 2000, as amended.
REASON: To comply with the County Council Housing Strategy & Part V of the Planning & Development Act, 2000, as amended by Section 3 of the Planning & Development (Amendment) Act, 2002.
- 12. Save for amendments to previous permission granted on foot of this permission, the development shall otherwise be retained in strict accordance with the terms and conditions of Planning Permission Reg. Ref. D08A/ 0079 , save as may be required by the other conditions attached hereto.
REASON: In the interest of the proper planning and sustainable development of the area.
- 13. An acceptable name for the overall development together with an internal house numbering scheme for proposed dwellings shall be submitted for the written agreement of the Planning Authority prior to the commencement of the development or the erection of any advertising hoardings on site. In this regard the use of names reflecting local place

names or local history would be acceptable.
REASON: In the interest of orderly development.

14. That all construction works shall be carried out during normal working hours, that is 08:00 - 19:00 Monday to Friday and 08:00 - 13:00 on Saturdays. No works to take place on Sundays or public holidays.
REASON: In the interest of amenity.

15. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of € 3750.00 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 Water & Drainage Public Infrastructure and Facilities benefiting development in the area of the Authority, as provided for in the Development Contribution Scheme made by Dun Laoghaire Rathdown County Council on the 14/12/2009 . Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced. Following commencement, any outstanding balance shall be updated at the 1st of January each year during the life of the scheme in accordance with annual increases in the Wholesale Price Index - Building and Construction Materials published by the Central Statistics Office.

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

16. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of € 7500.00 , 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 Dun Laoghaire Rathdown County Council on the 14/12/2009 . Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced. Following commencement, any outstanding balance shall be updated at the 1st of January each year during the life of the scheme in accordance with annual increases in the Wholesale Price Index - Building and Construction Materials published by the Central Statistics Office.

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.

17. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of € 3750.00 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 Dun Laoghaire Rathdown County Council on the 14/12/2009 . Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced. Following commencement, any outstanding balance shall be updated at the 1st of January each year during the life of the scheme in accordance with annual increases in the Wholesale Price Index - Building and Construction Materials published by the Central Statistics Office.

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.

18. 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 Dun 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.

19. All financial contributions are to be paid on foot of Planning Permission Register Reference D08A/0079 prior to commencement of development, with any outstanding balance being updated at the 1st January each year during the life of the scheme in accordance with annual changes in the Wholesale Price Index - Building and Construction (Capital Goods) published by the Central Statistics Office, which is determined in accordance with the contribution scheme adopted by the Council on 21st January 2004 under Section 48 of the Planning and Development Act, 2000.

REASON: It is considered reasonable that the payment of a contribution be required in respect of the provision of public infrastructure and facilities benefitting 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.

Building Regulations

Buildings must be designed and constructed in accordance with the Building Regulations.

Commencement Notice

A Commencement Notice must be submitted in respect of all buildings other than exempted development, not less than fourteen days and not more than twenty eight days before development commences and be accompanied by a fee of €30.

Fire Safety Certificate



A Fire Safety Certificate must be obtained in respect of the erection, alteration or change of use of all buildings other than dwelling houses.

Amendments to the Building Regulations to take effect from 1st January 2001
Building Regulations (Amendment) Regulations 2000 (S.I. No. 179 of 2000)
Building Regulations (Amendment) (No. 2) Regulations 2000 (S.I. No. 249 of 2000)

Amendment (S.I. 179 of 2000) relates to making new houses visitable by people with disabilities and imposing more stringent requirements on non-residential buildings / places relating to adequate access for disabled.

Amendment (S.I. 249 of 2000) introduces requirements for positioning letter plate apertures in house and other buildings.

Pursuant to the Planning and Development Act 2000 Section 34(13): "A person shall not be entitled solely by reason of a permission under this section to carry out any development."