

Date 05-Apr-2016

Adrian Hill Architects  
6 The Seapoint Building  
44/45 Clontarf Road  
Clontarf  
Dublin 3

Application No.	2222/16
Registration Date	11-Feb-2016
Decision Date	04-Apr-2016
Decision Order No.	P1128
Location	33, Baymount Park, Clontarf, Dublin 3
Proposal	Construction of one 2-storey 4 bedroom detached dwelling house, with new boundary fence to east, new vehicular access from the existing drive, together with landscaping and all associated site works.
Applicant	Gerard Kervick
Application Type	Permission

### **NOTIFICATION OF DECISION TO GRANT PERMISSION**

In pursuance of its functions under the Planning & Development Acts 2000 (as amended) Dublin City Council, being the Planning Authority for the City of Dublin has by order dated 04-Apr-2016 decided to GRANT PERMISSION for the development described above, subject to the following condition(s).

### **CONDITION(S) AND REASON(S) FOR CONDITION(S)**

1. Insofar as the Planning & Development Act 2000 (as amended) and the Regulations made thereunder are concerned, the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

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2. The developer shall pay the sum of €15,552.00 to the Planning Authority as a contribution towards expenditure that was and/ or is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefitting development in the administrative area of the Authority as provided for in the approved Section 48 (Planning and Development Act 2000 as amended) Contribution scheme for Dublin City Council.

The amount due is payable on commencement of development. Phased payment of the contribution will be considered only with the agreement of Dublin City Council Planning Department. Applicants are advised that any phasing agreement must be finalised and signed prior to the commencement of development.

Reason: It is considered reasonable that the payment of a development contribution should be made in respect of the public infrastructure and facilities benefitting development in the administrative area of the Local Authority.

3. No flat roofed area shall be used as a roof garden or terrace and the 1st floor side opes shall be permanently fitted with opaque glazing.

Reason: in the interests of residential amenity

4. The requirements of the Roads & Traffic Planning Division shall be undertaken as follows:

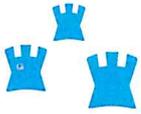
a) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

b) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: in the interests of traffic safety

5. The requirements of the the Drainage division shall be undertaken as follows:

a) The development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and



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Downloads).

b) A connection from this development to the public Surface Water sewer network will only be granted when the developer has obtained the written permission of the Drainage Division and fulfilled all the planning requirements including the payment of any financial levies. All expense associated with carrying out the connection work are the responsibility of the developer. Developers are not permitted to connect to the public drainage network system without written permission from the Drainage Division. Any unauthorised connections shall be removed by the Drainage Division at the developer's expense. A licence will be required from the Drainage Division to allow the connection work to be carried out. Permission of the Roads Dept must also be obtained for any work in the public roadway.

c) The development is to be drained on a completely separate system with separate connections to the public foul and surface water systems.

d) The development shall incorporate Sustainable Drainage Systems in the management of stormwater. Full details of these shall be agreed in writing with Drainage Division prior to commencement of construction.

Reason: In the interests of public health

6. The developer shall comply with the requirements set out in the Codes of Practice from the Drainage Division, the Roads Streets & Traffic Department and the Noise & Air Pollution Section.

Reason: To ensure a satisfactory standard of development.

7. (a) The site and building works required to implement the development shall only be carried out between the hours of:

Mondays to Fridays - 7.00am to 6.00pm

Saturday - 8.00 a.m. to 2.00pm

Sundays and Public Holidays - No activity on site.

(b) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such

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approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

8. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

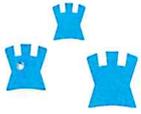
9. In relation to individual houses the naming and numbering of dwelling units shall be in accordance with a naming and numbering scheme submitted to, and agreed in writing, by the Planning Authority, prior to the occupation of the dwelling(s).

Reason: In the interest of orderly street numbering.

10. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 " Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control."

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

11. Prior to the commencement of development, the developer shall lodge with the planning authority a deposit, a bond of an insurance company/bank, or security to secure the satisfactory completion, and maintenance of services (including maintenance until taking-in-charge by the Local Authority of roads, open spaces, car parks, public lighting, sewers, watermains and drains.) The form and amount of the security shall be as agreed between the planning authority and the developer, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development.



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In the event that land to be used as open space is taken in charge, the title of any such land must be transferred to Dublin City Council at the time of taking in charge.

Reason: To achieve a satisfactory completion of the development.

The applicant should note that development on foot of this **Decision to Grant** may not commence before a notification of final grant has been issued by the Planning Authority or An Bord Pleanála following consideration of an appeal.

- **Your attention is drawn to the requirements of the attached “Codes of Practice”.**

Schedule A: Drainage Division

Schedule B: Roads, Streets & Traffic Division

Schedule C: Air Quality Monitoring and Noise Control Unit

N.B.

- It should be clearly understood that the granting of Planning Permission does not relieve the developer of the responsibility of complying with any requirements under other Codes or legislation affecting the proposal, including the requirements of the Building Regulations, and Waste Management Acts.
- A person shall not be entitled solely by reason of a grant of Planning Permission to carry out any development.
- A grant of Planning Permission does not entitle a person to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.
- Any observations or submissions received by the Planning Authority in relation to this application have been noted.

#### **NOTES TO APPLICANT:**

- The decision of Dublin City Council in respect of this development does not imply or infer any approval or right to connect to or discharge wastewater to the public sewer network or the right to connect to the public water supply. The Applicant shall, prior to the commencement of Development, make all necessary arrangements with and get all

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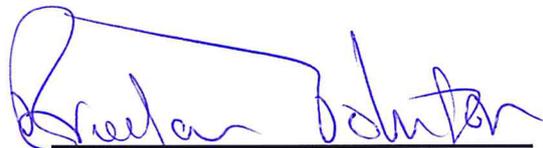
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necessary approvals from Irish Water in relation to wastewater discharges and water connections.

- Appeals must be received by An Bord Pleanála within **FOUR WEEKS** beginning on 04-Apr-2016. (N.B. not the date on which the decision is sent or received). This is a strict statutory time limit and the Board has no discretion to accept late appeals whether they are sent by post or otherwise. The appeal **MUST BE FULLY COMPLETE** in all respects - including the appropriate fee - when lodged. It is not permissible to submit any part of it at a later date, even within the time limit.
- Refund of Fees submitted with a 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, and 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 the Planning Authority's decision on the second application.
- In relation to the Financial Contribution conditions, please note that this figure may be increased from January 2010 in line with the Wholesale Price Index (Building and Construction Materials).
- In relation to Compliance conditions three copies of compliance drawings will be required by the Planning Authority.

Signed on behalf of the Dublin City Council:



**Brendan Johnston**  
**For Assistant Chief Executive**