

Kim Dreyer Associates,
Dreyer Associates
Ballylusk
Ashford
Co Wicklow

Date: 18-Aug-2022

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

Final Grant Order Number P/1585/22	Date of Final Grant 18-Aug-2022
Decision Order Number P/1391/22	Date of Decision 15-Jul-2022
Register Reference D22A/0359	Date Received 25-May-2022

Applicant: Mags McLoughlin
Development: Permission for the subdivision of existing site, construction of a new two-storey dwelling, part demolition at both levels of the existing dwelling, creation of new domestic vehicle access and alterations to existing vehicle access, in addition to all associated site works to facilitate this development
Location: 37, Barnacullia, Willow Road, Dublin 16, D16XY05
Floor Area Sq. Metres
Time extension(s) up to and including
Additional Information Requested/Received: /

A Permission has been granted for the development described above, subject to the (13) Conditions on the attached Numbered Pages.

For the avoidance of doubt the reasons and recommendations set out in the planners report were generally adopted as set out in the Executive Order, this can be viewed at the Council Offices or the Council website.

Signed on behalf of Dún Laoghaire-Rathdown County Council

Tricia Reidy

for Senior Executive Officer

First Schedule Reasons and Considerations

Having regard to the Objective 'A' zoning of the site, and policies and objectives as set out in the Dún Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that the development would not detract from the amenities of the area and is consistent with the provisions of the current Development Plan, and is therefore considered to be in accordance with the proper planning and sustainable development of the area, subject to the conditions set out in the Second Schedule.

Appropriate Assessment (AA) Screening

The proposed development has been screened for AA (report on file) and it has been determined that the development would not significantly impact upon a Natura 2000 Site.

Environmental Impact Assessment (EIA) Screening

Having regard to the nature and scale of the proposed development, which comprises the construction of a new dwelling within a side garden site in a fully serviced urban location, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and as such a screening determination is not required.

Second Schedule Conditions

1. The development shall be carried out in its entirety 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.

2. The Applicant shall provide a revised site layout plan with information confirming the provision of a boundary fence/wall between the existing and proposed dwellings no taller than 1.1m and details of green landscaping which meets the minimum requirements of one third of the front garden space to be provided to the front of the proposed dwelling. REASON: In the interest of the proper planning and sustainable development of the area.

3. All external finishes, including roof tiles/slates, shall harmonise in material, colour and texture with the existing dwelling on site.

REASON: In the interest of visual amenity.

4. The Applicant shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site works and repair any damage to the public road arising from carrying out the works.

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

5. Each of the two dwellings permitted shall be used as two individual single dwelling units and shall not be sub-divided in any manner or used for multiple occupancy or more separate habitable units.

REASON: To prevent unauthorised development.

6. 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.

REASON: In the interest of public health.

7. The surface water runoff generated by the development shall not be discharged to the public sewer but shall be infiltrated locally to a soakaway in accordance with Section 10.2.2.6 Policy Objective EI6: Sustainable Drainage Systems (SuDS) of the County Development Plan 2022-2028. The soakaway shall not have an overflow. The soakaway shall be designed to BRE Digest 365, shall be at a min. 5m from foundations, 3m from adjacent property boundaries and shall have no impact on neighbouring properties. If a soakaway is not a feasible solution then, prior to the commencement for development, the applicant shall submit for the written agreement of the Planning Authority a report signed by a Chartered Engineer showing an infiltration test (with results, photos, etc) and shall propose an alternative SuDS measure.

REASON: In the interest of public health.

8. Any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS) i.e. permeable surfacing, and in accordance with Section 12.4.8.3

Driveways/Hardstanding Areas of the County Development Plan 2022-2028. Appropriate measures shall be included to prevent runoff from driveways entering onto the public realm as required. Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.

REASON: In the interest of public health.

9. The double height window on the southern elevation of the proposed dwelling shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

REASON: In the interests of residential amenity.

10. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €296.11 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 €6,780.97 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 €4,401.70 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.

13. 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 Dún 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.

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: The Applicant is advised that in the event of encroachment or oversailing of the adjoining property, the consent of the adjoining property owner is required. If this written agreement is not obtained, the proposed development shall be modified only insofar as is required to do this.

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

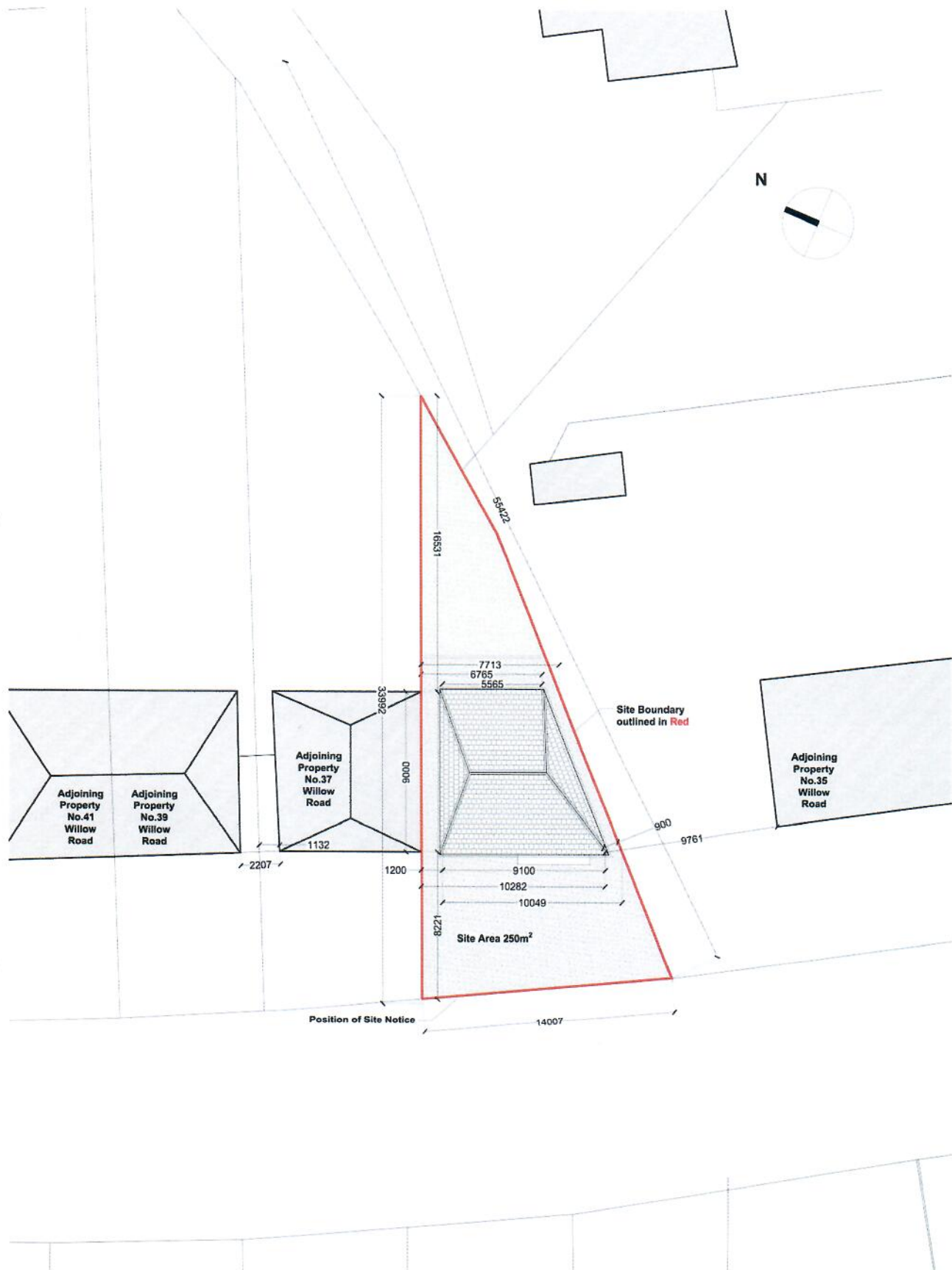
Building Regulations (Amendment) Regulations 2000 (S.I. No. 179 of 2000)

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.

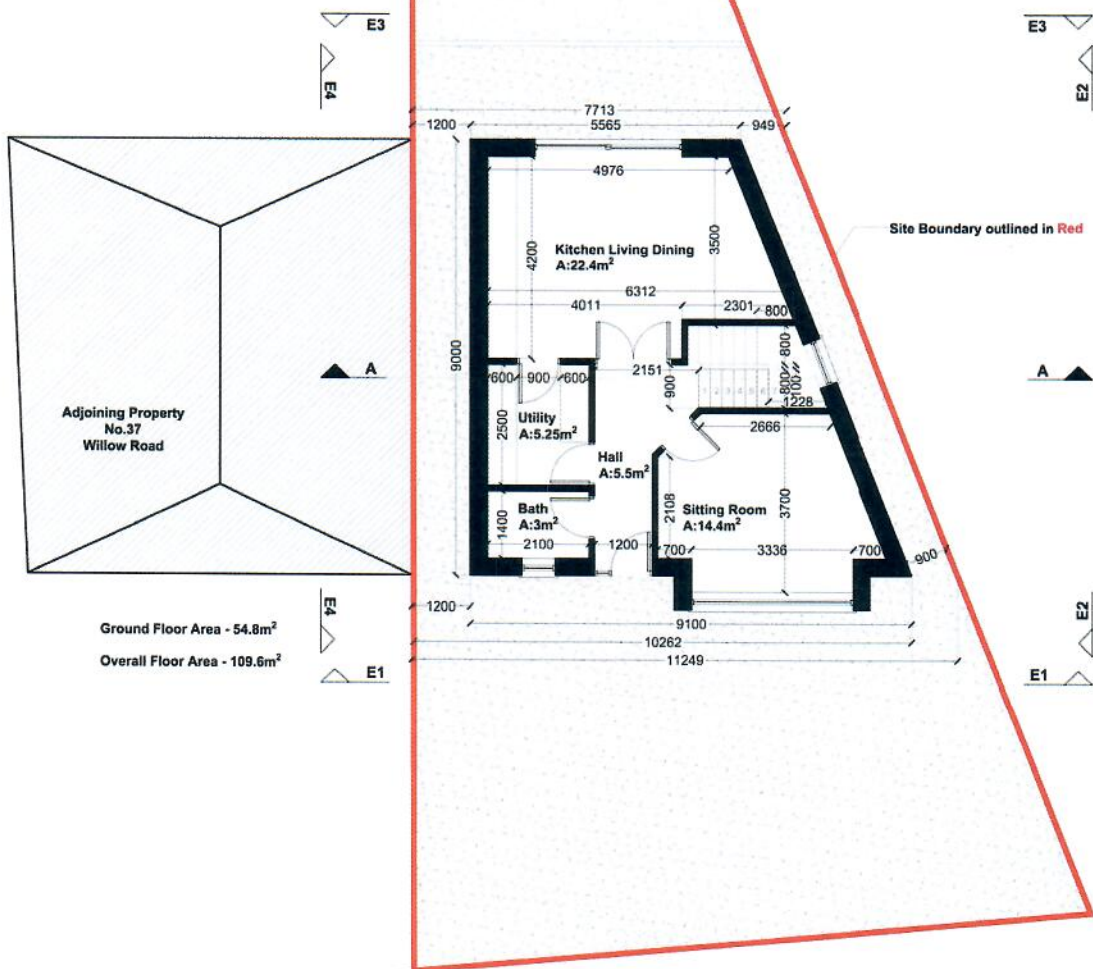
Amendment (S.I. 249 of 2000) introduces requirements for positioning letter plate apertures in house and other buildings.

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."




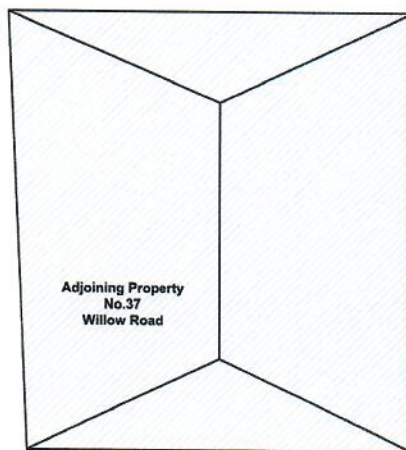
Proposed Site Layout Plan Scale 1:200

REV	DATE	DESCRIPTION	PROJECT TITLE: Barnaculla, 37 Willow Road			
A	05.04.22	Proposed house relocated on the site - detached from existing property.	DRAWING TITLE: Proposed Site Layout Plan			
B	14.04.22	Ground floor plan replaced with roof plan.				
			DRAWN BY: EB	DATE: Feb '22	SCALE: 1-200	PAPER: A3
			STAGE: Design	DWG NO: 598 D 1		REV: B
			DREYER ASSOCIATES ARCHITECTURE & URBAN DESIGN Ballylusk Ashford Co Wicklow copyright © T 010442816 email: kd@dreyerassociates.com			

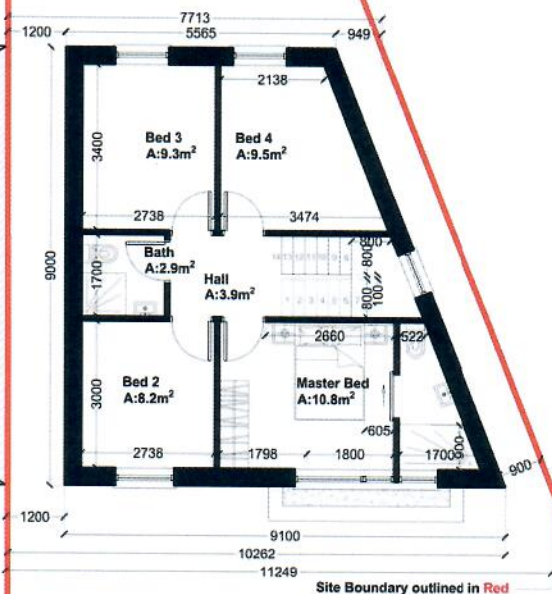


Proposed Ground Floor Plan Scale 1-100

REV	DATE	DESCRIPTION	PROJECT TITLE: Barnaculla, 37 Willow Road				
A	05.04.22	Proposed house relocated on the site - detached from existing property.					
			DRAWING TITLE: Proposed Ground Floor Plan				
			DRAWN BY: EB	DATE: Feb '22	SCALE: 1-100	PAPER: A3	
			STAGE: Design	DWG NO: 598 D 2			REV: A
			DREYER ASSOCIATES ARCHITECTURE & URBAN DESIGN Ballylusk Ashford Co. Wicklow copyright © T: 010442818 email: d@dreyerassociates.com				




First Floor Area - 54.8m²
Overall Floor Area - 109.6m²



Dreyer Associates Architecture & Urban Design

Proposed First Floor Plan Scale 1-100

REV	DATE	DESCRIPTION	PROJECT TITLE: Barnacullia, 37 Willow Road			
			DRAWING TITLE: Proposed First Floor Plan			
			DRAWN BY: EB	DATE: Feb '22	SCALE: 1-100	PAPER: A3
			STAGE: Design	DWG NO: 598 D 3		REV:
			DREYER ASSOCIATES ARCHITECTURE & URBAN DESIGN			
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