

Brian O'Flanagan  
F1, Centrepont Business Park  
Oak Road  
Dublin 12  
D12P308

Date: 01-May-2025

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

<b>Final Grant Order Number</b> P/0809/25	<b>Date of Final Grant</b> 30-Apr-2025
<b>Decision Order Number</b> P/0518/25	<b>Date of Decision</b> 25-Mar-2025
<b>Register Reference</b> D25A/0079/WEB	<b>Date Received</b> 04-Feb-2025
<b>National Portal Ref: 120000050706</b>	

**Applicant:** The Executors of the estate of Neil Murray  
**Development:** Planning application on previously approved site reg. ref. D15A/0568 for development comprising the construction of a detached 3 bedroomed dormer dwelling (floor area c 120.5m<sup>2</sup>) to side (south-east) of Murphystown House with vehicular and pedestrian access from Old Murphystown Road, all boundary treatments and associated on and off site development works on site of c.0.039 Ha.  
**Location:** Murphystown House, Kilgobbin Road, Dublin 18, D18A2P1  
**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*

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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 2022-2028 Dún Laoghaire-Rathdown County Development Plan, 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 Conditions.

### Appropriate Assessment Screening

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

### Environmental Impact Assessment Screening

Having regard to the nature and scale of the proposed development, which comprises an infill dwelling 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 or as otherwise agreed in writing by the Planning Authority.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. Prior to the commencement of development, the Applicant is requested to submit for written agreement of the Planning Authority plans, elevation and section drawings clearly detailing proposed and existing boundary treatments around the subject site.

a) Details shall include all existing and proposed boundary treatments, including vehicular entrance details. Details shall include proposed materials, finishes and in the case of planted boundaries, details in respect of species together with a planting schedule.

b) The Applicant shall retain as many trees and hedging associated with the plant screening as possible.

REASON: In the interests of residential amenity and orderly development.

c) The boundary treatments to the site frontage shall be no higher than 1.4 metres above ground level.

3. The entire dwelling 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.

4. All external finishes, including roof tiles/slates, shall harmonise in material, colour and texture with the existing dwelling on site unless otherwise indicated on plans submitted.

REASON: In the interest of visual amenity.

5. (a) The surface water runoff generated by the development shall not be discharged to the public sewer but shall be infiltrated locally to a soakaway, as detailed in the application, 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 be designed to BRE Digest 365 and shall not have an overflow. The offset distance for infiltration from adjacent buildings or structures will be at the professional judgement of a suitably qualified engineer and shall ensure the proposed system has no impact on neighbouring properties. If a soakaway is not a feasible solution then, prior to the commencement of 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.

(b) 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.

(c) The surface water runoff generated by the development shall not be discharged to the public surface water sewer but shall be collected locally to a rainwater harvesting system, as indicated in the application. The rainwater harvesting system shall be designed in accordance with the recommendations of BS EN 16941-1-2018/EN 16941-1:2018 and The SuDS Manual (CIRIA C753). Any overflow from the rainwater harvesting system shall not connect to the public surface water sewer but shall drain to an infiltration system contained within the property curtilage e.g. soakaway, permeable paving sub-base etc.

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

6. a) A maximum of 1 no. car parking space shall be provided to serve the proposed dwelling house.

b) The proposed new gates for the relocated vehicular entrance shall not be automatic electronic gates in accordance with Section 12.4.8.1 Vehicular Entrances and Hardstanding Areas (i) General Specifications of the current County Development Plan 2022-2028.

c) All necessary measures shall be taken by the Applicant and Contractor to:

- 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 construction works,
- repair any damage to the public road arising from carrying out the works,
- avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction works.

REASON: In the interests of public safety and orderly development, and the proper planning and sustainable development of the area.

#### Noise Management

7. The final detailed design and location of building services, such as heat pumps, must avoid the generation of potential conflicts in terms of noise amenity affecting adjoining land uses.

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

#### Construction Environmental Management Plan

8. Submission of a 'Construction Environmental Management Plan' (CEMP) setting out proposals for environmental management of the proposed works to avoid the creation of serious environmental nuisance, such as noise, dust and other emissions that may be considered an environmental nuisance.

The Applicant and the appointed Contractor(s) shall ensure that in terms of Construction Waste, records shall be maintained and made available for inspection on site demonstrating tracking of all waste generated to final destination.

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

#### Public Liaison Plan

9. The Applicant and the developments Contractor shall develop and implement a 'Public Liaison Plan' for the duration of the works, covering the following.

- a) Appointment of a Liaison Officer as a single point of contact to engage with the local community and respond to concerns.
- b) Keeping local residents informed of progress and timing of particular construction activities that may impact on them.
- c) Provision of a notice at the site entrance identifying the proposed means for making a complaint.
- d) Maintenance of a complaints log recording all complaints received and follow up actions.

REASON: In the interest of the 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 €134.73 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Local Authority in respect of the provision of Surface Water Infrastructure benefiting development in the area of the Planning Authority, as provided for in the Development Contribution Scheme 2023-2028 made by Dún Laoghaire-Rathdown County Council on the 9<sup>th</sup> of October 2023. 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 commencing from 1st January 2025. 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 Article 4.7 of the Scheme. Outstanding balances as of the 1st of January each year shall be subject to indexation and adjusted accordingly until the contribution has been paid in full. (See Article 8.3 of the Scheme).

REASON: It is considered reasonable that the payment of a contribution be required in respect of the provision of the Surface Water Infrastructure 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 Uisce Éireann are now the statutory body responsible for both water and wastewater 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 Uisce Éireann at Tel. 1800 278 278.

11. The Developer shall, prior to commencement or as otherwise agreed in writing with the Planning Authority, pay the sum of €2, 021.01 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Local Authority in respect of the provision of the Transport Infrastructure benefiting development in the area of the Planning Authority, as provided for in the Development Contribution Scheme 2023-2028 made by Dún Laoghaire-Rathdown County Council on the on the 9th of October 2023. 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 commencing from 1st January 2025. 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 Article 4.7 of the Scheme. Outstanding balances as of the 1st of January each year shall be subject to indexation and adjusted accordingly until the contribution has been paid in full. (See Article 8.3 of the Scheme)  
REASON: It is considered reasonable that the payment of a contribution be required in respect of the provision of the Transport Infrastructure 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 €11, 317.65 to the Planning Authority as a contribution towards expenditure that was/or is proposed to be incurred by the Local Authority in respect of the provision of the Community & Parks facilities & Recreational amenities benefiting development in the area of the Planning Authority, as provided for in the Development Contribution Scheme 2023-2028 made by Dún Laoghaire-Rathdown County Council on the 9th of October 2023. 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 commencing from 1st January 2025. 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 Article 4.7 of the Scheme. Outstanding balances as of the 1st of January each year shall be subject to indexation and adjusted accordingly until the contribution has been paid in full. (See Article 8.3 of the Scheme)  
REASON: It is considered reasonable that the payment of a contribution be required in respect of the provision of the Community & Parks facilities & Recreational 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: The attention of the applicant is drawn to Section 34(13) of the Planning and Development Act 2000, 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: This permission does not imply any consent or approval for the structural stability and/or habitability of the works carried out and does not imply that the structure complies with the Building Regulations.

NOTE: Any alterations to the drainage systems within the site are a matter for compliance with the Building Regulation.

NOTE: 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."

	Dún Laoghaire-Rathdown County Council Planning & Development Act 2000, (As Amended) Planning Register (Part 1)	Register Ref No. D25A/0079/WEB
1. Location	Murphystown House, Kilgobbin Road, Dublin 18, D18A2P1	
2. Development	Planning application on previously approved site reg. ref. D15A/0568 for development comprising the construction of a detached 3 bedroomed dormer dwelling (floor area c 120.5m <sup>2</sup> ) to side (south-east) of Murphystown House with vehicular and pedestrian access from Old Murphystown Road, all boundary treatments and associated on and off site development works on site of c.0.039 Ha.	
3. Date of Application	04-Feb-2025	Date Further Particulars (a) Requested (b) Received
3a. Type of Application	Permission	1. 2.
4. Submitted by	Name: Brian O'Flanagan Address: F1, Centrepont Business Park, Oak Road, Dublin 12, D12P308	
5. Applicant	Name: The Executors of the estate of Neil Murray	
6. Decision	O.C.M. No:P/0518/25 Date:25-Mar-2025	Effect:GRANT PERMISSION
7. Grant	O.C.M. No:P/0809/25 Date:30-Apr-2025	Effect: GRANT PERMISSION
8. Appeal Notified		
9. Appeal Decision		
10. Material Contravention		
11. Enforcement Notice	(*see Enforcement Register) Compensation	Purchase
12. Revocation or Amendment		
13. E.I.S. Requested	E.I.S. Received	E.I.S. Appeal
14. Registrar Receipt No.	..... .....	..... Date