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South Dublin County Council
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Planning

11 July 2021

Dear Sir/Madam

Re: Planning Applications SD21A/0159 (related ED21/0026)

Land recontouring/infilling works on c.16,000sq.m. of a folio size of c.2.4ha (allowing buffers); volume of material to be placed on site is c.35,000m³ with an average fill level of c.3.5m above existing.

Associated applications : Cape Wrath ED18/0306 and ED21/0004
Lands at Tassaggart Drive/Coldwater Lakes, Moneyatta Commons, Saggart, Co.Dublin

Proof of Statutory fee €20.00 paid by card to the Council's Finance Department attached to this submission.

A new water reservoir is being constructed at Saggart Waterworks (Fairgreen, Saggart ED, Saggart, Co. Dublin, D22 W1HD) as granted under Planning approval SD18A/0180. Coffey Construction seeks to infill a boundary field with excavation materials which will be produced as an integral by-product in the construction process.

We wish to provide information and draw your attention to the potential overstepping of the scope of the current planning application and possible breaches of existing exempted applications.

The original planning application ED21/0026 by Coffey Construction on behalf of Irish Water sought to obtain a Section 5 Exemption in relation to infill a specified adjacent boundary field of c 16,000m² with 35,000m³ of top soil and inert subsoil raising the land by an average of 3.5m. SDCC decided that this would not be exempted development and therefore planning permission would be required.

As a result this application SD21A/0159 has been submitted to infill a field to the south of the reservoir.

There appears to be an attempt to change the destination of the infill site to another site to the west of the Reservoir. The new site not mentioned in this application is the Citywest Executive Golf Course. It is proposed to infill this site with excavation materials which will be produced as an integral by-product in the construction process of a new water reservoir granted under Planning approval SD018A/018.

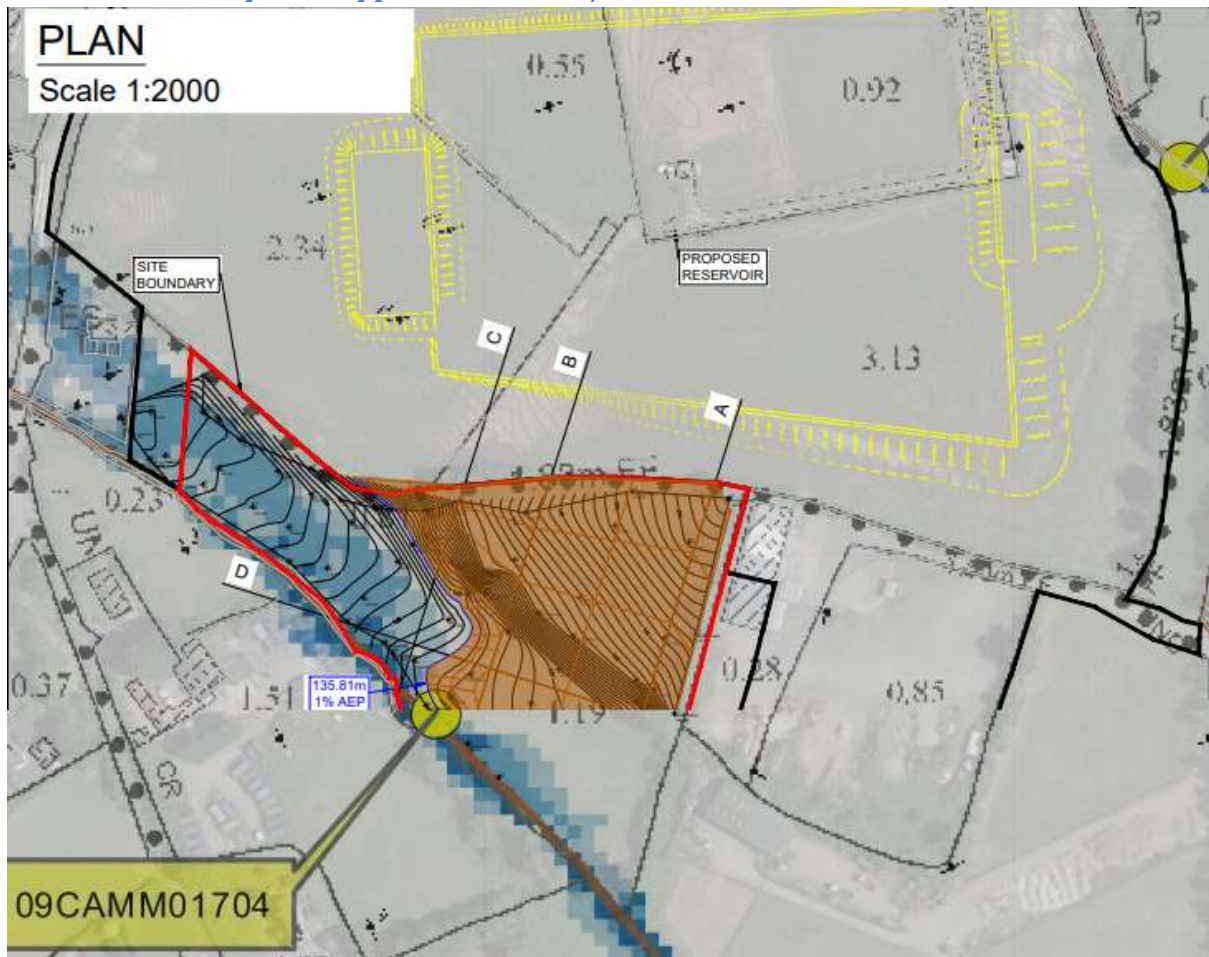
Irish Water state that this does not require planning permission as the site was exempted previously under ED21/0004. This would be a significant change to the application currently submitted (SD21A/0159) and would

be contrary to the decision of ED21/0026 that planning is required due to the significant changes to the contour of the land.

Coffey Construction prepared a report for the site proposed under SD21A/0159 and stated that badgers, otters and bats used the site. It is determined that an ecological report is required and the National Parks & Wildlife service would need to be contacted regarding any future works on the site.

The Golf course is circa 400 metres from the reservoir boundary field and one would expect similar ecological conditions to apply. There is high value biodiversity in this location. It is home to deer, squirrels, rabbits, badgers, foxes, bats, hawks, birds and rich in invertebrate life. There is also an abundance of indigenous Irish bees which are becoming very rare. This is remarkable biodiversity hotspot. Part of the golf course site has already been scorched with what one can only presume is some form of chemical. We don't believe any consideration has been paid to the local wildlife in the area and an Environmental and Ecological reports should be required.

Site submitted as part of application SD21A/0159





New Site proposed by Irish Water



Red Outline: Site identified in Planning Application **SD21A/0159** for deposit of 35,000m³ of soil.

Blue Outline: "Exempted" Site **ED21/0004** identified by Irish Water to local residents for deposit of 35,000m³ of soil to a height of 2 metres on an estimated area of 14,000m²

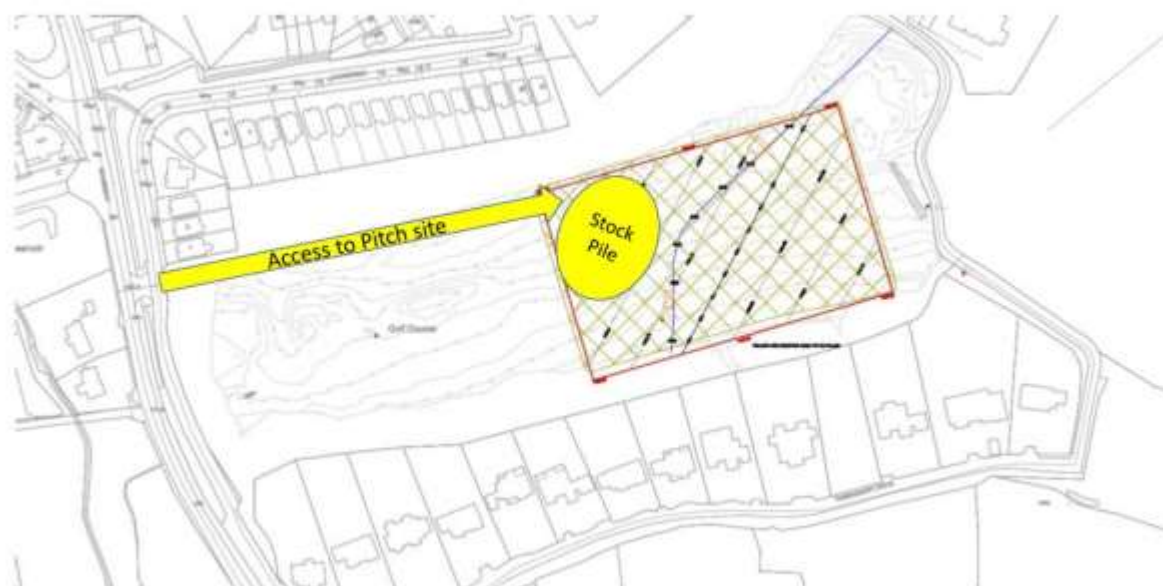
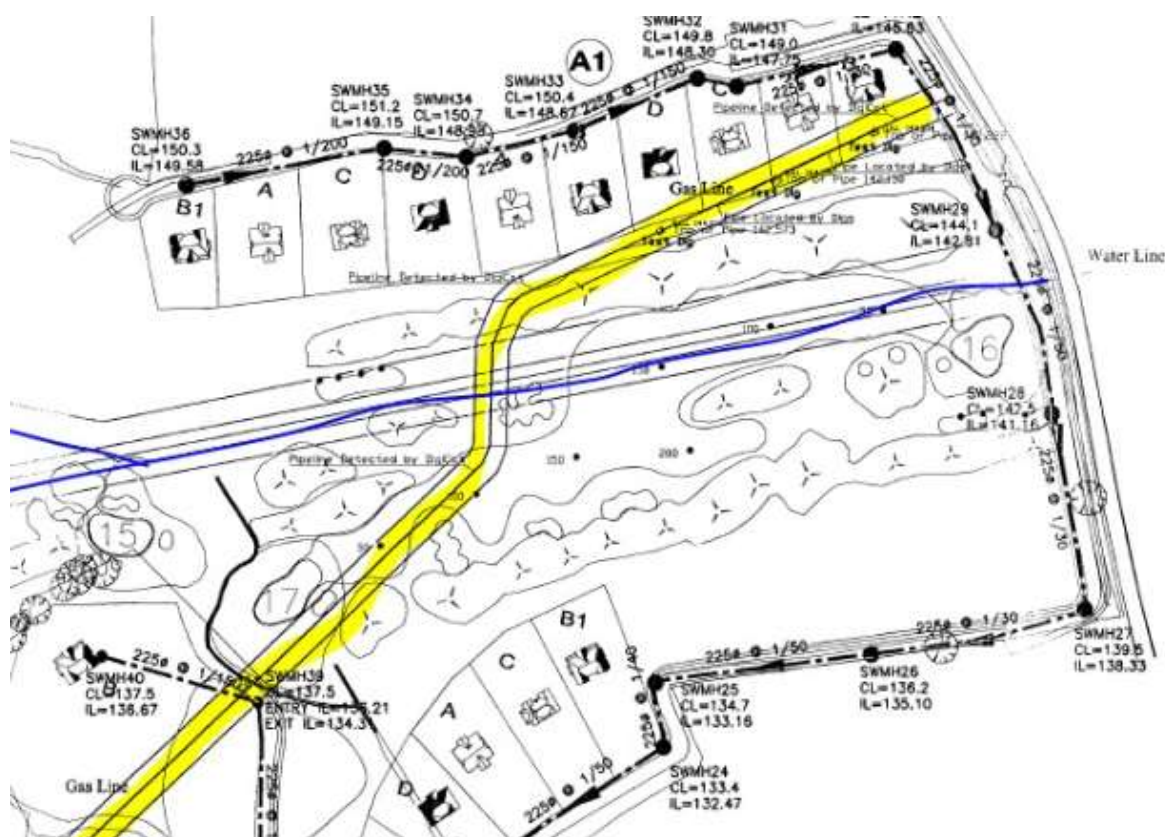


Image from Irish Water (in correspondence to local residents 6 July 2021), identifying access from Boherboy road through local estate to Golf course for over 3500 truck movements. Reservoir is to the west, off map


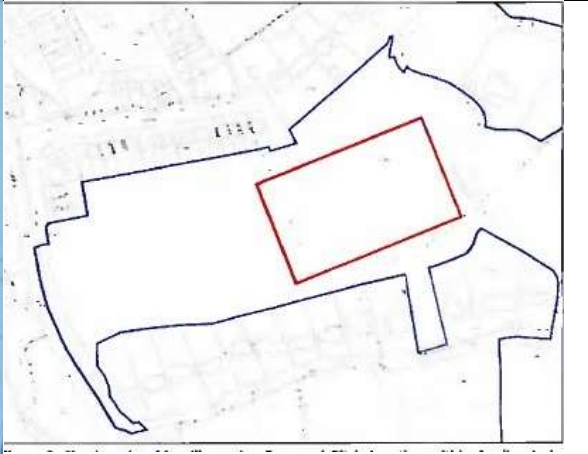




5 arterial water mains and a high pressure Dublin-Cork Gas pipeline traverse the site. (North orientation reversed on map)

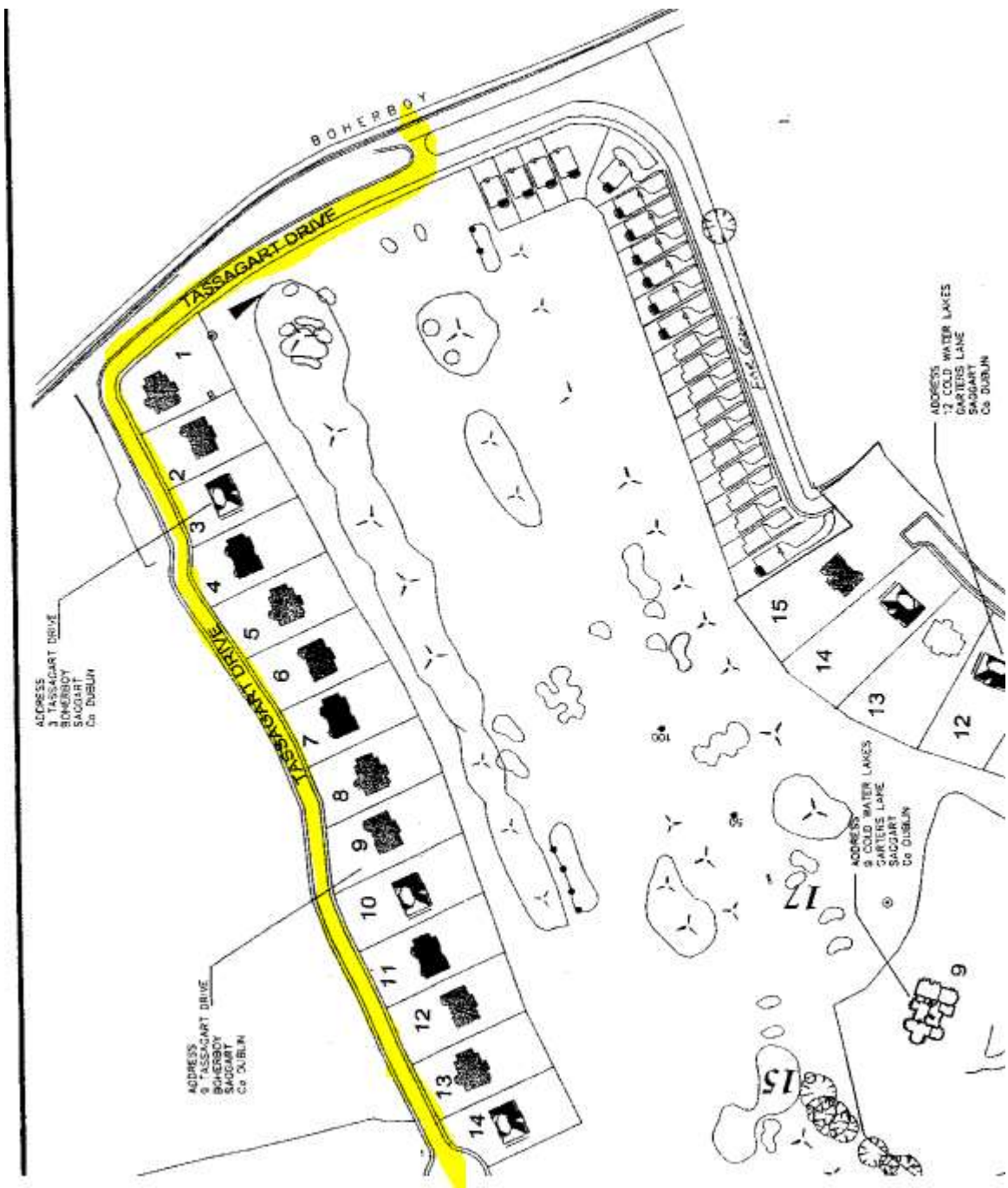
Original 1999 golf course planning conditions specified a **minimum coverage of 1.2m** and **maximum coverage of 2.7m** over pipes.

And infill depth varying from ~0.5metres to 2.5 metres in areas is proposed in correspondence from Irish Water to local residents on 6 July 2021

In 2018 Cape Wrath/Tetrarch/CityWest Hotel applied for planning exemption of land at the Citywest Executive Golf Course. The main reason was to 'layout' a 'temporary' playing pitch for St.Mary's GAA Club. A permanent playing pitch would have been most welcomed by local residents but to-date, nearly 3 years later, as of June 2021, there is no agreement in place. Works are underway on this site in spite of no agreement.

2018 Planning Application (ED18/0036)	2021 Planning Application (ED21/0004)
 A site plan for the 2018 planning application (ED18/0036). The plan shows a large rectangular area outlined in red, situated within a larger blue-shaded area. The surrounding area contains various building footprints and site boundaries.	 A site plan for the 2021 planning application (ED21/0004). It shows the same rectangular area outlined in red, but with a different layout of surrounding structures and boundaries compared to the 2018 plan.
 An aerial photograph of the site for the 2018 planning application. A red rectangular outline is superimposed on the image, highlighting the specific area of interest. The surrounding landscape is green with some buildings and roads visible.	 An aerial photograph of the site for the 2021 planning application. A red rectangular outline is superimposed on the image, highlighting the same area as in the 2018 view. The surrounding landscape and buildings appear similar to the 2018 view.





Boherboy Road exit route for local estates Coldwater Lakes, Tassagart Drive. Fairgreen Estate also exit onto the Boherboy Road at point identified by Irish Water for over 3500 truck movements.

June 2021 Commencement of works



100-150 tonnes of hardcore to a depth of *1 metre* and *3 meter* high Embankments on ED21/0004 exempted site



Construction traffic using private residential road to deposit between 100 and 150 tonnes of hard-core to “Exempted site **ED21/0004**”



Gas leak occurred on 29 June 2021 at entrance to private road shortly after heavy construction traffic started transporting tonnes of hardcore to Golf course site. Irish Gas emergency staff located and rectified leak.

Permanent Fencing at exempted site ED21/0004



Permanent fences have been erected in spite of Exemption application stating no other works such fencing was proposed



Planning application ED21/0004 Tom Philips and Associates acting for Cape Wrath stated in the details of their proposed development that “a limited amount of cut and fill will be required to create a level playing pitch. For clarity, we (Cape Wrath) are only seeking to provide for the laying out of a playing pitch and **no other works such as fencing, Floodlighting or netting are proposed.”**

As can be seen from the recently taken images and correspondence from Irish Water

- Permanent Fences **have** been erected
- The “limited” cut and fill of over with over **35,000m³** of infill **on circa 14,000m²** is excessive **raising the contour by 2 meters** in places is contrary to the exemption denied on ED21/0026
- Works have already commenced and up to 150 tonnes of hardcore has been laid to a depth of 1m.
- Embankments have been created to a height of c.3m adjacent or over Irish Water Mains pipes.
- Heavy Construction traffic is utilising narrow local private access roads. No Construction traffic management plan, no flagmen and total disregard for local residents safety.

In view of the above, any existing site survey drawings indicating contour levels and other details should be deemed out of date and an up-to-date site survey showing proposed site contours, hedges reserved, hedges remaining, trees removed, trees remaining should be provided.

As part of the original planning for the Golf course, compliance was required in relation to archaeology. All works should be monitored by an archaeologist licenced under the National Monuments Act.

A survey of all trees and hedgerows on the site and the impact on them should be carried out.

5 arterial watermains pass through the site. Three Dublin Corporation mains and two South Dublin County Council mains. A wayleave is to be obtained from 8m outside the extreme pipe on either side of the mains. The minimum cover required to the watermains is 1.2 meters and the maximum over required is 2.7 metres.

Applicant has specified no provisions for valves chambers to remain uncovered and accessible.

Correspondence from Irish Water to local residents 6th July 2021 regarding the placement of 35,000m³ of soils on Citywest Executive Golf Course, Moneyata Commons, Saggart .

Irish Water in partnership with Dublin City Council and South Dublin County Council (SDCC) is building a new reservoir in Saggart. This essential project involves the construction of a new 100 million litre covered treated storage water reservoir that will help to safeguard the water supply to homes and businesses in the Greater Dublin Area (GDA). The new reservoir will store the equivalent of 40 olympic sized swimming pools supplied from Ballymore Eustace Water treatment plant, Ireland's largest water treatment plant.

The construction of the new reservoir and associate pipelines started in March and is expected to be completed within 3 years. Coffey Construction Ireland Limited, (CCIL) signed the contract to deliver this project on behalf of Irish Water in February of this year. Planning permission for the project was secured in 2018, SD18A_0180 refers, which includes for the construction of approximately 680metres of the new Slade Valley trail which will be running along the boundary of Irish Water's site and has been incorporated into the design of the works at the reservoir site. This is the first section of the Slade Valley trail to be constructed within the town limits of Saggart.

The project involves the excavation and removal from site of a large volume of topsoil and inert subsoils. CCIL have submitted an Article 27 application to the EPA to reclassify the material to be excavated from site as a by-product so that it can be re-used in a more environmentally sustainable way rather than going to a licensed waste facility. The reclassification will assist the local community through proposals to provide subsoil for the construction of the new St. Mary's GAA pitch on the old golf course lands off Pairc Mhuire Road, which received planning exemption from South Dublin County Council, ED21/0026 refers.

The proposed temporary pitches on the Tetrarch Capital lands of the Old City west golf course are being advanced by Tetrarch Capital/Cape Wrath. The works are being planned and executed by the owners of the land in line with the planning exemption secured from South Dublin County Council ED21/0026 which is visible on the SDCC website. There is a significant quantum of soil required to infill the lands to build up the ground to pitch standard. In this regard CCIL are entering into an agreement with the landowner to supply soil for the construction from our neighbouring site, thus reducing travel traffic congestion of Saggart Village and minimising reusable material being sent to landfill.

With regard to ensuring safe transportation of the material from the Irish Water site to the proposed pitch construction project, CCIL propose to have flagmen at all times at the site entrance of the reservoir site and at the entrance to the Fairgreen estate. A new temporary entrance between the Fairgreen estate and the Tetrarch Capital / Cape Wrath lands is to be created to facilitate the truck movements. The material will be deposited on site for spreading by the landowners contractor. Irish Water's Site Management Team will monitor the transportation and deposition of the material at the site.

1. Does the proposed infill of land at the old golf course have planning permission?

The landowners secured planning exemption for the construction of the temporary pitches, ED21 /0026 refers, available for viewing on south Dublin County Council website.

2. How much soil is intended to be moved to lands at the golf course

CCIL are being requested to provide 35,000m³ of soil to build up the land under the proposed pitches, equivalent to approximately 3,500 truck loads

3. Exactly where is it proposed that this soil will be deposited.

Currently the proposals are for truck movements from the Saggart Reservoir existing entrance , via the Fairgreen estate to the pitches site with material being deposited off the line of the existing trunk buried infrastructure as shown in the diagram below

4. The maximum height the ground will be raised by.

This is a matter for Tetrarch Capital / Cape Wrath. Drawing received from the developer to Irish Water in relation to the build-over agreement over the assets indicate infill depth varying from ~0.5metres to 2.5 metres in areas.

5. The entry and exit points the lorries will use.

The trucks transporting material from the Irish Water, Coffeys site will use the entry and exit point as shown above.

The truck movements by Tetrarch Capital / Cape Wrath's contractor may be different.

6. Will Irish water and Coffey Construction keep Brunella Management Company fully abreast and up to date with all proposed works in a timely fashion.

Irish Water's Saggart Reservoir Project Site Management Team will engage with the Coldwater Residents Association, Brunella Managemnt Company, and any local interest groups looking to be kept informed on the Reservoir construction and transportation of material from site and ae willing to meet and engage in a timely manner to minimise impact on residents and businesses throughout the works.

7. Will the consent of Gas Networks be obtained prior to works being carried out, and will they have an engineer available to oversee the works.

The developer has engaged with ERVIA, parent company for both Irish Water and Bord Gáis Networks, for arranging a build over agreement to facilitate increasing the overburden on the below ground assets

St Marys "temporary" playing pitch



A permanent playing pitch would be most welcome by the local estates and community. The latest information available as of June 2021 is that there is no agreement between St. Marys GAA club and Cape Wrath/ Tetrarch which has been the core reason provided in all exemption applications since 2018 on this site.

Regards

Leo Healy

Leo Healy

Director

Burnella Cottage Limited by Guarantee,

Coldwater Lakes and Saggart Lakes Management

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