

# Comhairle Chontae Atha Cliath Theas

**PR/0054/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD21A/0104      **Application Date:** 04-May-2021  
**Submission Type:** Additional      **Registration Date:** 09-Dec-2021  
Information

**Correspondence Name and Address:** Mark Priestley, Hamilton Architects Hamilton House, 3 Joy Street, The Linen Quarter, Belfast, BT2 8LE

**Proposed Development:** Footbridge from car park of university campus to Airton Close.

**Location:** TU Dublin, Tallaght & Airton Close, Tallaght, Dublin 24

**Applicant Name:** Technological University Dublin Tallaght

**Application Type:** Permission

### **Site and Surroundings:**

Site Area: Stated as 0.0013 Ha.

### Site Description:

The overall Technological University Dublin (TUD)/Tallaght Campus extends to c.18.2ha and is located off the Belgard Road, close to Tallaght Village and Town Centre. It is bounded to the east by Greenhills Road, to the west by Belgard Road, to the north by the Poddle River and, across that, commercial/light industrial sites fronting onto Airton Road, and to the south by St Marys Priory and Old Blessington Road.

The application site crosses the northern boundary, over the Poddle River, to a landing point on the corner of a site on Airton Close.

Site Visit: 14<sup>th</sup> June 2021

### **Proposal:**

Footbridge from car park of university campus to Airton Close.

### **Zoning:**

The site is split between two zoning objectives. The southern portion is zoned 'TC' – 'To protect, improve and provide for the future development of Town Centre'. The northern portion is zoned 'REGEN' – "To facilitate enterprise and/or residential led regeneration."

### **Consultations**

Environmental Services      Recommends Request for Additional Information.

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Irish Water	No objection, subject to conditions.
Roads	Recommends Request for Additional Information.
Public Realm	No objection, subject to conditions.

### **Submissions/Observations /Representations**

None received

### **Relevant Planning History**

#### **TUD Campus**

##### **SD20A/0201**

Permission granted for a telecommunications field technician apprenticeship training area, comprising of a compound, 35m by 25m enclosed by a 3m perimeter fence. The area will contain a number of street cabinets, underground access chambers, underground ducting, half height training poles and a storage unit.

##### **SD19A/0152**

Permission granted for (A) Construction of a 4 storey general teaching building (c.5,211sq.m) comprising teaching spaces, class kitchens and restaurant, lecture theatres, labs and computer rooms, breakout spaces and ancillary service area with roof level plant; (B) landscaping works including the provision of a kitchen garden, orchard and wildflower meadow with beehives; (C) 28 covered cycle parking spaces; (D) all associated site development, site services, landscaping and boundary treatment works.

##### **SD18A/0435**

Permission granted for a Sport Science, Health and Recreation Building containing a single storey sports hall and teaching accommodation and associated facilities arranged over two storey plus roof plant areas with a total floor area 3,175sq.m; grass playing pitch 140 x 90m with flood lighting.

##### **SD17A/0333**

Permission granted for PV solar panels on the canteen roof.

##### **SD16A/0099**

Permission granted (10-year planning permission) for the construction of 2 third level educational buildings and an outdoor playing pitch, located to the east of the existing main building.

##### **SD09A/0343**

Permission granted for the construction of 3 third level educational buildings and outdoor playing pitches.

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SD09A/0327

Permission granted for a new vehicular entrance from existing roundabout on Belgard Road and secondary entrance from Greenhills Road etc.

SD09A/0439 and SD09A/0439/EP

Demolition of existing ball alley and construction of an extension to the existing synergy building of 2851sq.m in area over 3 floors inclusive of roof level plant room.

### **Airton Close**

SD19A/0299

(a) Partial change of use at ground floor from 324sq.m light industrial warehouse use to office & laboratory; (b) construction of a new internal first floor level, containing 120sq.m. office space; (c) 7 new windows at first floor level on the front elevation (east facade); (d) removal of existing roller shutter on the front elevation (east facade) and replacement with new door & glazing panel & new signage on the front elevation (east facade); (e) 3 new windows at ground floor level at side elevation (south facade); (f) new door at ground floor level at side elevation (south facade); (g) roller shutter door at rear elevation (west facade); (h) construction of new 13.8sq.m. external enclosed covered storage to rear elevation (west facade); (i) new door on the rear elevation (west facade) and all associated site works.

### **Relevant Enforcement History**

None recorded for subject site

### **Pre-Planning Consultation**

None.

### **Relevant Policy in South Dublin County Council Development Plan 2016-2022**

Section 3.11.2 Third Level Education Facilities

Policy C10 Third and Fourth Level Education Facilities

It is the policy of the Council to support the development and ongoing provision of third level education in the County, and to develop Tallaght as a hub for education and employment to provide further opportunities for the County's workforce.

### **C10 Objective 1:**

To facilitate and support the development of existing third level education centres and provide for new third and higher-level facilities, including the development of competences in innovation and outreach services.

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### **C10 Objective 2:**

To promote and assist the development of Tallaght as a centre for education and employment.

### **C10 Objective 3:**

Promote the clustering of education related services and facilities proximate to existing third-level facilities.

### **C10 Objective 4:**

To facilitate the provision of links between IT Tallaght and Tallaght Village, employment areas, and existing community and cultural facilities in the area to serve students of the ITT campus.

Section 6.3.0 Walking and Cycling  
Policy TM3 Walking and Cycling

Section 6.3.2 Local Permeability Improvements

Section 8.2.0 Watercourses Network  
Policy GI3 Watercourses Network

## **Tallaght Town Centre Local Area Plan 2020 - 2026**

### Key Objectives for Technological University Dublin (TU):

- TU1: Consolidate and enhance existing educational, religious and recreational functions.
- TU2: Retain existing landscape character.
- TU3: Enhance cycling and walking links through the area and to surrounding areas.
- TU4: Protect the parkland setting and provide for greater public access and usage.
- TU5: Protect and preserve Heronry located on Priory lands and extending into TUD lands.

### **Relevant Government Policy**

**National Planning Framework** Government of Ireland, 2018.

**Regional, Spatial & Economic Strategy 2019 - 2031**, Eastern & Midlands Regional Assembly, 2019.

**'Section 5 – Dublin Metropolitan Area Strategic Plan'**, in Regional, Spatial and Economic Strategy 2019 – 2031.

**The Planning System and Flood Risk Management Guidelines for Planning Authorities** Department of the Environment, Heritage & Local Government and Office of Public Works, 2009.

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**Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities**, Department of the Environment, Heritage and Local Government, 2009.

### Assessment

The main issues for assessment are:

- Land ownership
- Zoning and Council Policy
- Design & Visual Impact
- Public safety
- Roads
- Public Realm
- Water
- Environmental and Ecological Impact
- Appropriate Assessment
- Environmental Impact Assessment

### *Land Ownership*

The applicant has provided a letter of consent from Airton Road Property Management, Ltd. The Site Location Map appears to show that this organisation owns lands along Airton Close, but which do not include Unit 5 – the nearest unit to the northern landing of the proposed footbridge.

The applicant should clarify the land ownership boundaries at the northern end of the proposed development, and explicitly detail any access or wayleave arrangements that would be necessary to ensure access to the bridge from Airton Close. This can be provided as **additional information**.

Furthermore, there is an ESB substation on Airton Close beside the entry point of the proposal. It needs to be ascertained what way leaves may be required around the substation. **Further information** should be sought on this issue.

### *Zoning and Council Policy*

The proposed footbridge would be ancillary to the established educational use on the site, and it is considered that the development is therefore compliant with the zoning objectives under the South Dublin County Development Plan 2016 - 2022.

The proposed development would provide a cycle/pedestrian link between the campus and Airton Close and the Airton Road area/Broomhill neighbourhood area. This accords with policy TU3 of the Local Area Plan to provide more cycle and pedestrian links through the area and to surrounding area.

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### *Design, Visual Impact and Siting*

The proposed bridge would cross the Poddle River (aka the Tymon River). The bridge is of a simple footbridge design with a flat base, with an incline to take account of the higher position on the southern bank. A 1:20 ramp of perpendicular orientation to the bridge would link it to the more pedestrian friendly route to the northern entrance of the university's main building, which crosses two raised tables in the car park. On the northern side of the bridge, it would open out onto Airton Close beside an ESB substation shed.

The visual design of the bridge is acceptable and it would not be injurious to other properties or the local setting. The siting of the bridge facilitates a connection to an appropriate location in the TUD campus car park. On Airton Close, however, the connection would open up into an area which lacks a pedestrian-friendly layout. Works may be required to the street (taken in charge) or on adjoining properties, to facilitate a safe environment for pedestrians.

### *Public Safety*

The applicant has proposed to provide lighting for the bridge on the southern side, and to close the connection via a gate (also on the southern side), in line with the daily closing times of the campus. The lighting is proposed to turn off when the connection and campus are closed. This creates a potential issue, as the actual span of the bridge will be unlit, and accessible, after hours. The bridge would be partially shielded from public view on Airton Close, and the public lighting, by the ESB substation and adjoining vegetation. It is considered appropriate that the bridge itself be closed to public access in line with the closure of the campus. The applicant should provide revised plans by way of **additional information**.

### *Roads*

The Roads Department has sought additional information. Their report reads as follows:

“A proposed footbridge from car park to Airton Close. The intended use of the bridge is not clear, is the bridge going to be accessible to members of the public. It is not clear from the application if the bridge will be accessible to mobility impaired users either. The pedestrian access along Airton Close is industrial in nature.

Roads recommend that additional information be requested from the applicant:

1. The applicant is requested to submit details of the pedestrian routes from Airton Close to the development.
2. The applicant is requested to submit details of the tying in points, landings and connectivity to the existing footpaths.
3. The applicant shall demonstrate that the bridge is designed to the appropriate engineering standards and will be assessable to all users including cyclists.”

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It is considered appropriate that the applicant provide responses as **additional information**. In terms of the pedestrian connectivity on the northern side of the site, it is considered appropriate that public realm improvements are considered in order to ensure a safe environment for pedestrians. This is especially important when considering that the development will create a desire line and demand for pedestrians to use Airton Close.

Furthermore, a right angle turn may not be appropriate for cyclists and perhaps a more curved design would be appropriate. **Further information** should be sought on this issue.

The location of the entrance from Airton Close is very close to the existing entrance to a warehouse/industrial unit (Eyre Motors) to the west and this may present vehicular/pedestrian conflict. A drawing showing the intended ped/cyclist flow from Airton Close to the bridge should be provided which includes the forecourt of Eyre Motors and the public footpath.

Details of the design of route to be taken by pedestrians through car park to south should be provided by **further information**.

### ***Public Realm***

The Public Realm Department has stated no objection, subject to conditions. The Department has recommended, in direct communication, that:

“mitigation planting should be provided as part of the proposals to compensate for the loss of the two "Alder trees" and/or any damage to the adjacent mature boundary hedge/vegetation as a result of the proposed development works.”

This can be a **condition** of permission, or the applicant may wish to make a proposal as **additional information**.

### ***Water***

The Environmental Services Department has sought additional information, relating to a Section 50 approval under the Arterial Drainage Act, from the Office of Public Works, due to the proposed development traversing the Poddle River (aka the Tymon River). The department is seeking the submission of such approval as additional information.

The same report also seeks a Flood Risk Assessment and any proposals for mitigation measures in the event of flooding.

The above requests are appropriate and the applicant should submit **additional information**.

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### ***Environmental and Ecological Impact***

The applicant has provided a bat survey, and it is considered that the removal of 2 Alder trees does not pose a problem for bats using the site. It should however be a condition of permission that lighting of the bridge is turned off when connection is closed in the evenings.

The proposed development traverses the Poddle River and, as such, the applicant should supply a Construction Environmental Management Plan to outline how development will protect the water quality.

### ***Appropriate Assessment***

The applicant has not provided information to assist the screening for Appropriate Assessment. As the development traverses a watercourse with connection to Dublin Bay, a screening report should be provided as **additional information**.

### ***Environmental Impact Assessment***

Having regard to the nature of the proposed development and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### **SEA Monitoring**

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Educational/Community	Nil (no buildings)
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Greenfield	0.0013ha.

### **Conclusion**

The proposal is acceptable in principle, having regard to the local objectives that apply to the TUD campus under the Tallaght Town Centre Local Area Plan 2020 – 2026. There are a number of issues which require resolution or clarification prior to a grant of permission being issued, and these can be dealt with by additional information.

### **Recommendation**

Request Additional Information.

### **Additional Information**

Additional information was requested on 28<sup>th</sup> June 2021 and received on 9<sup>th</sup> December 2021.



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### **Assessment of Additional Information**

#### **Item 1**

- (a) The applicant is requested to submit details of the pedestrian routes from Airton Close to the development. The applicant is requested to show how a pedestrian friendly layout can be achieved on the northern and southern side of the bridge.
- (b) The applicant is requested to submit details of the tying in points, landings and connectivity to the existing footpaths.
- (c) The applicant shall demonstrate that the bridge is designed to the appropriate engineering standards and will be assessable to all users including cyclists
- (d) there is an ESB substation on Airton Close beside the entry point of the proposal. The applicant is requested to liaise with ESB to determine what if any way leaves may be required around the substation.
- (e) a right angle turn on the bridge may not be appropriate for cyclists and perhaps a more curved design would be appropriate.
- (f) The location of the entrance from Airton Close is very close to the existing entrance to a warehouse/industrial unit (Eyre Motors) to the west and this may present vehicular/pedestrian conflict. A drawing showing the intended ped/cyclist flow from Airton Close to the bridge should be provided which includes the forecourt of Eyre Motors and the public footpath.
- (g) Details of the design of route to be taken by pedestrians through car park to south should be provided. Efforts to avoid pedestrian and vehicular conflict when exiting the bridge to north and to south should be provided.
- (h) the applicant is requested to submit CGI's showing the proposed bridge (north elevation and south elevation) in the context of Airton Close and in the context of the college car park.

#### **Response**

- (a) Existing and proposed cycle/pedestrian routes are shown on revised drawings.
- (b) The site plan has been updated to show revised routes.
- (c) Details have been submitted.
- (d) The applicant has liaised with ESB to establish their requirements.
- (e) Amended plans show kerb radii to ease circulation flow for cyclists.
- (f) Updated plans show cycle/pedestrian routes
- (g) Site Plans have been updated to show proposed cycle and pedestrian routes through the campus.
- (h) 3 CGI images have been submitted.

#### **Assessment**

The Roads Department has assessed the additional information. Their report notes that improvements are required to pedestrian crossing facilities and footpaths along Airton Close. The includes a recommendation for the following condition:

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“Prior to commencement of development, the design and construction details of footpath improvements between the proposed bridge and Airton Road, along Airton Close, to be constructed by the applicant/developer and at their own expense shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.”

The submission is otherwise acceptable to the Roads Department. The submission is considered acceptable subject to the above **condition**.

### Item 2

Under the current proposals relating to lighting and the gate on the southern side of the bridge, the main span of the bridge will be unlit, and accessible, after hours. The bridge would be partially shielded from public view on Airton Close, and the public lighting, by the ESB substation and adjoining vegetation. It is considered appropriate that the main span of the bridge itself be closed to public access in line when the connection to the campus is also closed. The applicant is requested to provide revised plans by way of additional information.

### Response

The applicant proposes that 2m high gates are to be provided at the Airton Close end of the bridge, and drawings are provided.

### Assessment

Section and elevation drawings of the gates have been provided. The proposal is acceptable; opening times for the bridge should be subject to agreement prior to operation.

### Item 3

The Public Realm Department has advised that mitigation planting should be provided as part of the proposals to compensate for the loss of the two 'Alder trees' and/or any damage to the adjacent mature boundary hedge/vegetation as a result of the proposed development works. The applicant is requested to propose mitigation planting as per this recommendation.

### Response

The applicant has proposed to plant three new trees. Details are found on drawing no. 5, which shows some additional low level planting in the vicinity.

### Assessment

The Public Realm Department has found the proposal to be lacking in detail and unacceptable. Their report recommends that a landscape plan is agreed prior to commencement, and that a landscape architect is retained for the project. This is acceptable and can form the basis for **conditions** of permission.

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### Item 4

The applicant is advised and requested to obtain a Section 50 approval of Arterial Drainage Act from the OPW (Office of Public Works), due to the proposed footbridge traversing the River Poddle. The applicant is requested to submit this approval as part of additional information.

#### Response

The applicant has provided a Section 50 approval.

#### Assessment

The Environmental Services Department has stated no objection on the basis of the additional information provided.

### Item 5

The applicant is requested to submit a report to show what if any flood risk exists for proposed development. If there is a flood risk, outline in report what measures are proposed to mitigate for such a flood risk.

#### Response

The applicant has submitted a Flood Risk Assessment as part of their Construction Environmental Management Plan.

#### Assessment

The Environmental Services Department has stated no objection on the basis of the additional information provided.

### Item 6

The applicant is requested to provide an Outline Construction Environmental Management Plan (CEMP) as additional information.

#### Response

The applicant has provided a preliminary Construction Environmental Management Plan.

#### Assessment

The CEMP includes a number of recommendations for prevention and mitigation of impacts on the watercourse and the surface water drainage networks. The outline plan is acceptable; updates should be notified to the Planning Authority and this should be a **condition of permission**.

### Item 7

The applicant is requested to submit an Appropriate Assessment Screening Report.

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### Response

The applicant has provided an Appropriate Assessment Screening Report, included as an appendix in the CEMP. The report, carried out by Scott Cawley, concludes that an Appropriate Assessment is not required.

### Assessment

The report gives a detailed analysis of the different potential impacts of the proposed development on the receiving environment and any designated sites. The report's conclusions are acceptable and thus the development can be screened for appropriate assessment on this basis (see conclusion under 'Screening for Appropriate Assessment' below).

### **Item 8**

The applicant is requested to clarify the land ownership boundaries at the northern end of the proposed development, and explicitly detail any access or wayleave arrangements that would be necessary to ensure access to the bridge from Airton Close.

### Response

The applicant has provided a lease plan map showing the area under their control to the north.

### Assessment

In combination, the documents provided are acceptable.

### **Screening for Environmental Impact Assessment**

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no 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 a screening determination is not required.

### **Screening for Appropriate Assessment**

The applicant has provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

### **Other Considerations**

#### **Bonds & Contributions**

The proposed development does not include a building and development contributions are not chargeable.

#### **SEA Monitoring**

N/A

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### **Conclusion**

The additional information provided is satisfactory, and it is considered that the proposed development would, subject to the conditions attached herewith, comply with the proper planning and sustainable development of the area.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by Further Information received on 9th December 2021, 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. Landscape and Planting Plan.  
Prior to the commencement of development, the applicant shall submit a Landscape Plan together with a detailed Planting Plan all prepared by a qualified Landscape Architect (or qualified Landscape Designer), for the approval of the SDCC Public Realm Section. Such proposals shall include the following:-  
(A) Details of soft landscape design to include detailed planting plan(s) and planting schedule(s), stating species/varieties, quantities, sizes, rootball presentation and spacings.  
(B) A timescale for implementation of all proposals, including the specified landscape maintenance operations. The landscape contract shall include a post- Practical Completion (certified by the landscape consultant) Defects Liability Clause of 18 months.

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REASON: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022.

3. Landscape and Planting Plan - Implementation.

Within 6 months of the commencement of development or during the first planting season after the commencement of development the agreed landscape plan and planting proposals shall be completed. Written confirmation (with supporting photographic evidence) confirming that the agreed landscape plan and planting proposals has been implemented in full shall be submitted to the Planning Authority. A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are completed to the satisfaction of the Public Realm Section; and in accordance with the permitted landscape proposals.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022.

4. Hours of Operation.

(a) The bridge shall be closed and gates at either side shall be locked at times when the TUD campus is closed.

(b) Lighting on the bridge shall be turned off when the TUD campus is closed.

REASON: In the interests of public safety and nocturnal fauna.

5. Roads.

Prior to commencement of development, the design and construction details of footpath improvements between the proposed bridge and Airton Road, along Airton Close, to be constructed by the applicant/developer and at their own expense, shall be agreed with the Planning Authority in writing. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

REASON: in the interest of pedestrian and traffic safety.

6. Irish Water.

(a) Any proposals by the applicant to divert or build over existing water or wastewater services shall be submitted to Irish Water for written approval prior to works commencing.

(b) Separation distances between the existing Irish Water assets and proposed structures, other services, trees, etc. shall be in accordance with the Irish Water Codes of Practice and Standard Details.

REASON: To protect public water assets.

7. Construction Environmental Management Plan

The applicant shall submit a revised Construction Environmental Management Plan prior

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to commencement of works (noting that a preliminary plan has already been submitted). This CEMP shall be updated as necessary and any updates notified to South Dublin County Council. The Plan shall be accessible at all times on site during the works.

The final plan shall:

- identify potential impacts and mitigating measures;  
provide a mechanism for ensuring compliance with environmental legislation and statutory consents;
- detail and ensure Best Construction Practices including measures to prevent and control the introduction of pollutants and deleterious matter and measures to minimise the generation of sediment and silt;
- In the event that any invasive plant species are located on site, address their containment and appropriate treatment

In the preparation of a Construction Management Plan, particular account must be taken in relation to bio security. To prevent the spread of hazardous invasive species and pathogens, high pressure steam cleaning of all items of plant and equipment to be used at and adjacent to waters must be undertaken prior to use. All PPE must be disinfected prior to use. All enabling works including topsoil stripping, access road installation, and temporary site office construction must be detailed in the Construction Management Plan.

REASON: To ensure the works do not cause damage to the watercourse.

### 8. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

### 9. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority,

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having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

**REASON:** In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

**NOTE:** The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

**NOTE:** The applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

**NOTE:** A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

**NOTE:** The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

**NOTE:** The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.



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NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.


**Comhairle Chontae Atha Cliath Theas**

**PR/0054/22**

**Record of Executive Business and Chief Executive's Order**

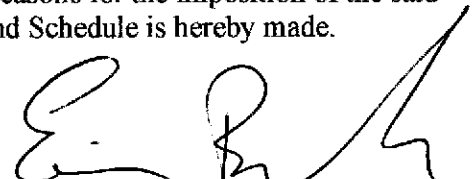
**REG. REF. SD21A/0104**

**LOCATION: TU Dublin, Tallaght & Airton Close, Tallaght, Dublin 24**

  
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**Jim Johnston,**  
**Senior Executive Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:** 14/1/22

  
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**Eoin Burke, Senior Planner**