

# Comhairle Chontae Atha Cliath Theas

**PR/0073/22**

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

**Reg. Reference:** SD21A/0243      **Application Date:** 02-Sep-2021  
**Submission Type:** Additional      **Registration Date:** 15-Dec-2021  
Information

**Correspondence Name and Address:** Kevin Hamell, Integrated Development Services Ltd.  
D5, Swords Enterprise Park, Feltrim Road, Swords,  
Co. Dublin

**Proposed Development:** Warehouse extension (circa 87sq.m) at rear.

**Location:** 89, Broomhill Road, Tallaght Industrial Estate,  
Tallaght, Dublin 24

**Applicant Name:** McHugh Components Ltd.

**Application Type:** Permission

(COS)

### **Description of Site and Surroundings**

Site Area: stated as 0.692 Hectares on the application.  
Site Visit: 22<sup>nd</sup> of September 2021

### **Site Description**

The subject site is located on Broomhill Road within the Broomhill Industrial Estate in Tallaght. The site is rectangular in shape and consists of a warehouse unit with vehicle parking to the front and side. On either side of the site are existing industrial/warehouse sites. The site borders Mayberry Road to the north (rear). There is existing mature vegetation along the boundaries of the site including along the Mayberry Road boundary.

### **Proposal**

Permission is being sought for a warehouse extension (circa 87sq.m) at rear. In the cover letter the applicant states that the extension is to house a Kardex Shuttle Vertical Lift system for storage and picking of product.

### **Zoning**

The subject site is subject to zoning objective 'REGEN': *'To facilitate enterprise and/or residential-led regeneration'*.

### **Consultations**

Water Services – no objections subject to conditions.  
Irish Water – no objections subject to conditions.  
Roads Department – no objections.

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Public Realm Section – no objections subject to conditions.

H.S.E. Environmental Health Officer – no report received.

Sustainable Energy Ireland – no report received.

Chief Fire Officer – no report received.

SEA Sensitivity Screening – no overlap is recorded in the SEA monitoring system.

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

A number of third party submissions were received, the majority of which are from those at residential properties near Mayberry Road. These submissions raised the following concerns in summary:

- Application is vague on information about road frontage onto Mayberry Road.
- Concern in regard to the removal of hedge and mature trees along boundary. No landscaping plan submitted.
- Concern that it is looking for permission for a frontage and access onto Mayberry Road. Impact this will have on privacy of residential properties and traffic on Mayberry Road. Object to access onto public land between the site and Mayberry Road.
- Visual impact on Mayberry Road.

A representation was submitted from Councillor Charlie O'Connor stating that they wish to object to the planning application.

A representation was submitted from Councillor Teresa Costello requesting that it be clarified that the frontage would not act as an access or exit point as this would impact negatively on the residents in the area.

These submissions/representations are noted and have been taken into consideration in the assessment of the proposed development.

### **Relevant Planning History**

*Subject site*

SD20A/0327

Erect 224sq.m of photovoltaic panels on the roof of existing building with all associated site works. **Permission granted.**

SD08A/0355

22.5sq.m. single storey extension to the existing reception area at the front of the unit; new powder coated composite cladding to the front elevation (south) and a portion of the side elevation (east); new fascia and forecourt signage and realignment of grass verge in the forecourt area. **Permission granted.**

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S95A/0024

Erect circa 1,400sq.m. warehouse extension to rear, 2 no. tailgate bays, circa 206 sq.m. office extension at first floor, new windows to south and east elevations and ancillary works.

**Permission granted. Condition No. 4 That the area between the building and roads must not be used of truck parking or other storage or display purposes but must be reserved for car parking and landscaping as shown on lodged plans. REASON: In the interest of the proper planning and development of the area.**

### **Relevant Enforcement History**

None recorded for subject site relevant to the current application according to APAS.

### **Pre-Planning Consultation**

None recorded for subject site relevant to the current application according to APAS.

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

*4 Economic Development & Tourism*

*Section 4.3.2 Employment and Residential in Regeneration Zones*

*Policy ET2 Enterprise and/or Residential Led Development in Regeneration Zones*

*6 Transport & Mobility*

*Section 6.4.4 Car Parking*

*Policy TM7 Car Parking*

*7 Infrastructure & Environmental Quality*

*Policy IE1 Water & Wastewater*

*Policy IE2 Surface Water & Groundwater*

*Policy IE3 Flood Risk*

*Policy IE7 Environmental Quality*

*8 Green Infrastructure*

*Policy G1 Overarching*

*Policy G2 Green Infrastructure Network*

*Policy G4 Public Open Space and Landscape Setting*

*Policy G5 Sustainable Urban Drainage Systems*

*Policy G6 New Development in Urban Areas*

*9. Heritage, Conservation & Landscapes*

*Policy HCL2 Natura 2000 sites*

*Policy HCL15 Non-Designated Areas*

*11 Implementation*

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*Section 11.2.7 Building Height*

*Section 11.2.4 Regeneration Zone*

*Section 11.4.1 Bicycle Parking Standards*

*Section 11.4.2 Car Parking Standards*

*Section 11.6.0 Infrastructure and Environmental Quality*

*Section 11.7.2 Energy Performance in New Buildings*

*Section 11.8.1 Environmental Impact Assessment*

*Section 11.8.2 Appropriate Assessment*

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

#### *2.1 Introduction*

- *To direct land uses and intensity of development in a manner that creates a sustainable urban form, based on the integration of land use and transport planning (Objective UF1);*
- *To promote a mix of uses in a manner that creates a sustainable and active area (Objective UF2).*

#### *2.4 Land Use and Urban Function*

##### *2.4.1 Types of Development and Land Use Mix*

##### *2.4.3 Changing Nature of Areas*

#### *2.5 Neighbourhoods*

*Broomhill: An attractive consolidated, diversified and intensified place for business and employment that is better connected to surrounding places. Emerging residential uses along primary frontages.*

#### *3.0 Neighbourhoods*

##### *3.5 Broomhill*

#### *5.0 Residential and Community*

#### *7.0 Climate Change: Mitigation and Adaptation*

#### *8.0 Implementation and Sequencing*

#### *9.0 Tallaght Specific Development Standards*

### **Relevant Government Guidelines**

Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).

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

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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 relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Landscape;
- Services and Drainage;
- Traffic and Parking;
- Environmental Impact Assessment; and
- Appropriate Assessment.

### *Zoning and Council Policy*

The proposed development is consistent in principle with zoning objective 'REGEN': *'To facilitate enterprise and/or residential-led regeneration'*. Warehousing is Open for Consideration under this zoning. An extension to an existing warehouse is therefore acceptable subject to an assessment against the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in the County Development Plan.

The subject site is located within the Broomhill Neighbourhood under the Tallaght Town Centre Local Area Plan 2020. The description for this neighbourhood is *'An attractive consolidated, diversified and intensified place for business and employment that is better connected to surrounding places. Emerging residential uses along the southern side of Airton Road.'* The key objectives include BH3: *'New corridors for green infrastructure connecting adjoining communities. Improved green infrastructure buffer to Kilnamanagh.'* It is not clear if the proposed development would impact the existing vegetation buffer along the rear boundary of the site to Kilnamanagh. **The applicant should provide further information to clarify this.**

### *Visual and Residential Amenity*

The proposed development would provide for an extension to the rear of the existing warehouse measuring approx. 3.5m by 24.5m. The extension would extend from the existing rear building line by approx. 3.5m. The proposed external materials would be cladding to match existing. The flat-roofed extension would measure approx. 12.0m in overall height, which would sit higher than the height of the existing warehouse at approx. 8.1m. The extension would therefore be visible from all elevations, including the front elevation. The Planning Authority has particular concerns in regard to the impact of the proposed extension when viewed from the northern (rear) boundary at Mayberry Road.

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The extension would be located approx. 0.9m to 1.3m from the rear boundary. There is a large amount of mature vegetation and trees along this boundary. It is not clear from the application material what impact the proposal would have on this vegetation and whether any is to be removed. Depending on this and having regard to the height and design of the extension, the Planning Authority would have concerns in regard to the visual impact of the proposed development at this boundary. Further information is required in this regard in order to assess the visual impact of the proposed development on Mayberry Road. It is noted that the nearest residential houses to this boundary are those at Redwood View, located approx. 60m from the boundary. **The applicant should be requested to submit further information in regard to the existing vegetation along this boundary. A proposed contiguous elevation of the development along Mayberry Road should be submitted.**

Third party submissions have also raised concerns in regard to a proposed new access to the site via Mayberry Road. The statutory notices do note “*with a frontage on to Mayberry Road*”, however, it does not describe a new access nor do the submitted drawings show this. Therefore, no new access is being proposed nor would be permitted in the event of a grant of permission. As stated above the applicant should be requested to clarify the treatment to existing landscaping along this boundary.

### ***Landscape***

There are a number of mature trees and vegetation, particularly along rear boundary at Mayberry Road. The Public Realm Department has reviewed the proposed development and has no objections subject to conditions:

#### *1. Existing Trees and Vegetation*

*There are concerns with the lack of information submitted in relation to existing trees and vegetation within the site and the potential negative impact the development will have on this existing vegetation and associated GI. The applicant is requested to submit a tree survey report for the trees within the subject site area. This tree survey should be undertaken by a suitably qualified arborist. The report should provide detailed information on the condition and health of the existing trees and it should also clearly detail what impacts the development will have on the trees and hedgerows but also potentially the tree roots.*

*The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:*

#### *1. Tree Survey*

*No work shall be commenced until a detailed tree survey of the site comprising a plan and schedule indicating the precise location, species, spread, height and condition of each tree*

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*accurately plotted and showing those trees to be retained and those to be felled with a reason for felling has been submitted to and approved in writing by the Planning Authority. **CONDITION REASON:** To provide for the retention and protection of existing trees in the interests of visual amenity and biodiversity, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.*

### *2. Tree Protection Measures*

*No development shall take place until a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, has been submitted to and approved in writing by the Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details and shall be maintained and retained until the development is completed. Within the root protection areas, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered. **CONDITION***

***REASON -** To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.*

### *3. Arboricultural Method Statement*

*No development shall take place until a detailed Arboricultural Method Statement (AMS) has been submitted and approved in writing by the Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.*

***REASON:** To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022*

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### 4. *Implementation of Tree Protection during development*

- a) *All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works.*
- b) *No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.*
- c) *Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Planning Authority.*
- d) *No development or other operations shall take place except in complete accordance with the approved protection scheme and Arboricultural Method Statement This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.*

*REASON: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022*

The report from the Public Realm Section is noted. However, it is considered that further information is required in regard to existing trees along the rear boundary.

### ***Services and Drainage***

Water Services has reviewed the proposed development and has no objections subject to conditions including in regard to surface water:

- 1 Prior to commencement of development submit a drawing showing the surface water layout for the development up to and including the point of connection to the public sewer. The drawing should include the location of all Aj's, manholes, pipe size, material type and direction of flow.*
- 2 Prior to commencement of development submit a drawing showing what SuDS (Sustainable drainage systems) are proposed for the development. Examples of SuDS include filter drains, swales, tree pits, rainwater harvesting and other such SuDS.*

The report from Water Services is noted and should be conditioned in the event of a grant of permission. Irish Water has reviewed the proposed development and has no objections subject to standard conditions relating to connection agreements. It is noted that no new connections are proposed as part of the proposed development and the warehouse has existing water supply and wastewater connections. The recommended conditions are therefore not considered necessary.



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### ***Traffic and Parking***

The Roads Department has reviewed the proposed development and state that they have no objections. Their report states that the proposed works do not impact on any road's elements. The proposal is for the installation of additional storage units to the rear of the warehouse. The report from the Roads Department is noted.

### ***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 not 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.

### **Conclusion**

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and the Tallaght Local Area Plan 2020,
- the established character of the area, and
- the scale, design and standard of the proposed development,

it is considered that **Additional Information** is required, to ensure the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

Request Further Information.

### **Further Information**

Further Information was requested on the 27<sup>th</sup> of October 2021.

Further Information was received on the 15<sup>th</sup> of December 2021 (not deemed significant).

### **Further Information Consultation**

Public Realm Section – no objection subject to conditions.

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### **Item 1 Requested**

*“It is not clear from the application material what impact the proposed development would have on the existing trees and vegetation along the northern (rear) boundary at Mayberry Road. Depending on this, and having regard to the height and design of the extension, the Planning Authority would have concerns in regard to the visual impact of the proposed development at this boundary. The applicant is requested to submit further information in regard to the existing vegetation along this boundary including:*

- (a) A detailed tree survey of the site comprising a plan and schedule indicating the precise location, species, spread, height and condition of each tree accurately plotted and showing those trees to be retained and those to be felled with a reason for felling.*
- (b) Should trees and vegetation be removed at this location, landscape proposals are requested showing any landscape mitigation measures proposed to mitigate the visual impact of the proposed development.*
- (c) A contiguous elevation of the proposed development along Mayberry Road.”*

Assessment: The applicant has submitted an Arboricultural Assessment Report, tree removal plan, arboricultural implication plan and proposed contiguous elevation from Mayberry Road. The applicant proposes to plant trees to compensate for the removal of some existing vegetation and provide for screening of the development at Mayberry Road. The Public Realm Section have reviewed the further information submitted and have no objection subject to conditions:

*The below additional information submitted by the applicant is acceptable to the Public Realm Section:*

- *Treespace Arboricultural Report*
- *Treespace Drawing TS-TRP-23-11-21 Rev 1 (Tree Removal Plan)*
- *Treespace Drawing TS-AIA-23-11-21 Rev 1 (Arboricultural Implication Plan)*
- *IDS Drawing 21-7-2-P6*

*In addition, the proposal by the applicant to plant 2 No. Red Oak within the council owed verge outside the applicant site in as mitigation for vegetation proposed to be removed in order to accommodate the development is acceptable to the Public Realm Section.*

*The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:*

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### *1. Implementation of Tree Report*

*To ensure the protection of trees to be retained within the site, the applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the submitted:*

- *Treespace Arboricultural Report*
- *Treespace Drawing TS-TRP-23-11-21 Rev 1 (Tree Removal Plan)*
- *Treespace Drawing TS-AIA-23-11-21 Rev 1 (Arboricultural Implication Plan)*

*All tree felling, surgery and remedial works shall be completed prior to the erection of tree protection fencing.*

*REASON: To provide for the retention and protection of existing trees in the interests of visual amenity and biodiversity, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.*

### *2. Tree Protection*

*Retained trees shall be protected during the course of construction by a stout temporary fence, in accordance with the default specification of barrier fencing shown in Figures 2 and 3 of BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations, or a 1.5 m high robust timber post and rail fence or similar approved and agreed with the Public Realm Section. The fence shall be installed around the RPA (Root Protection Zone), as determined by the qualified arborist, in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The RPA is an exclusion zone and no materials are to be stored within the protective zone and no incursions of machinery into the RPA are to occur, unless by prior agreement with the arborist. Notices are to be placed on all protective fences stating that the trees within the fence are protected.*

*REASON: To ensure the safety and well-being of the trees on the site that are to remain after building works are completed, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.*

### *3. Tree Works*

*All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998: 2010 Tree Work - Recommendations. The clearance of any vegetation including trees and scrub should be carried out outside the bird-breeding season (March – August inclusive) as stipulated under the Wildlife Acts 1976 and 2000.*

*REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022*

### *4. Compensatory Planting:*

*The applicant shall undertake the compensatory planting (2 no. Redd Oak) to replace those trees and hedging being removed in order to accommodate the proposed development. The specific location, nature and species types of the compensatory planting to be agreed in writing with the*

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*Public Realm Section prior to the commencement of Development. This compensatory planting should be undertaken within the next planting season following completion of the development. REASON: In the interests of the amenity and environmental quality of the locality and to assimilate the development into its surroundings, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022*

With the compensatory planting the development is considered to be visually acceptable. The further information submitted satisfactorily addresses the item raised. It is therefore considered that planning permission can be granted subject to conditions.

### **Development Contributions**

Warehouse extension 87sq.m

### **SEA monitoring**

Building Use Type Proposed: Residential

Floor Area: 87sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.692 Hectares.

### **Conclusion**

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022 and the Tallaght Local Area Plan 2020,
- the established character of the area, and
- the scale, design and standard of the proposed development,

it is considered that, subject to the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance 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 -

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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, and as amended by Further Information received on the 15th of 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
  - (a) the applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the submitted:
    - Treespace Arboricultural Report
    - Treespace Drawing TS-TRP-23-11-21 Rev 1 (Tree Removal Plan)
    - Treespace Drawing TS-AIA-23-11-21 Rev 1 (Arboricultural Implication Plan)All tree felling, surgery and remedial works shall be completed prior to the erection of tree protection fencing.
  - (b) Retained trees shall be protected during the course of construction by a stout temporary fence, in accordance with the default specification of barrier fencing shown in Figures 2 and 3 of BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations, or a 1.5 m high robust timber post and rail fence or similar approved and agreed with the Public Realm Section. The fence shall be installed around the RPA (Root Protection Zone), as determined by the qualified arborist, in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The RPA is an exclusion zone and no materials are to be stored within the protective zone and no incursions of machinery into the RPA are to occur, unless by prior agreement with the arborist. Notices are to be placed on all protective fences stating that the trees within the fence are protected.
  - (c) All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998: 2010 Tree Work - Recommendations. The clearance of any vegetation including trees and scrub should be carried out outside the bird-breeding season (March – August inclusive) as stipulated under the Wildlife Acts 1976 and 2000.
  - (d) The applicant shall undertake the compensatory planting (2 no. Red Oak) to replace those trees and hedging being removed in order to accommodate the proposed development. The specific location, nature and species types of the compensatory planting to be agreed in writing with the Public Realm Section prior to the commencement of

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Development. This compensatory planting should be undertaken within the next planting season following completion of the development.

REASON: To provide for the retention and protection of existing trees in the interests of visual amenity and biodiversity, and to assimilate the development into its surroundings, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

### 3. Surface Water.

Prior to the commencement of development the applicant shall submit to the planning authority for agreement;

(a) a drawing showing the surface water layout for the development up to and including the point of connection to the public sewer. The drawing should include the location of all Aj's, manholes, pipe size, material type and direction of flow.

(b) a drawing showing what SuDS (Sustainable drainage systems) are proposed for the development. Examples of SuDS include filter drains, swales, tree pits, rainwater harvesting and other such SuDS.

REASON: In the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

### 4. 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.

### 5. 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.

### 6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €8,592.12 (eight thousand five hundred and ninety two euros and twelve cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of 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 RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0073/22**

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

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 requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.




**Comhairle Chontae Atha Cliath Theas**

**PR/0073/22**

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


**REG. REF. SD21A/0243**

**LOCATION: 89, Broomhill Road, Tallaght Industrial Estate, 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:** 20/1/22

  
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**Eoin Burke, Senior Planner**