

**An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
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**John Gannon,  
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80, Harcourt Street  
Dublin 2**

**NOTIFICATION OF DECISION TO GRANT PERMISSION  
PLANNING AND DEVELOPMENT ACT 2000 (as amended) & PLANNING  
REGULATIONS THEREUNDER**

<b>Decision Order Number:</b> 0100	<b>Date of Decision:</b> 24-Jan-2022
<b>Register Reference:</b> SD21A/0213	<b>Date:</b> 17-Dec-2021

**Applicant:** Go Ahead Ireland

**Development:** Extension of the existing depot to provide additional bus parking facilities comprising a total of 221 bus spaces (including 45 electric bus parking spaces), 33 car parking spaces (including 15 electric car parking spaces), 5 motorcycle parking spaces and 30 bicycle parking spaces; revisions to the layout and configuration of the existing bus and car parking areas; the installation of electric vehicle charging units and associated infrastructure; new vehicular entrance/egress arrangement (including barrier and ramp) to Ballymount Avenue on the north-eastern site boundary; the provision of 4 pedestrian entrances located on the south-eastern, south-western and north-eastern site boundaries; internal roads and pedestrian pathways; minor elevational amendments to the existing transport depot building (relocation and addition of roller shutter doors and relocation of signage); hard and soft landscaping; boundary treatments; changes in level; lighting; surface water drainage; piped infrastructure and ducting, and all associated site excavation and development works above and below ground. (The development will also include the underground diversion of the existing ESB power line traversing the south-eastern corner of the

site.)

**Location:** 12, Ballymount Road Lower, Dublin 12

**Floor Area:**

**Time extension(s) up to and including:**

**Additional Information Requested/Received:** 27-Sep-2021 /17-Dec-2021

**Clarification of Additional Information Requested/Received:**

**DECISION TO:** Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, 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 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

### **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 condition(s) set out hereunder is thereby 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 17/12/2021, 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. Landscaping Requirements.  
(a) Implementation of the Landscape Plans:  
The Landscape Plan (Landscape Masterplan Drawings No. 1(A1) prepared by RMD) shall be implemented in full within the first planting season following completion of the development, in addition:
  - All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan.

- All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

- All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 Trees in Relation to Design, Demolition and Construction – Recommendations.

- Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

(b) Retention of Landscape Architect:

To ensure full implementation of the proposed landscape design, the applicant/developer is required to retain the services of a Landscape Architect throughout the life of the site development works. A completion certificate is to be signed off by the Landscape Consultant when all works are completed and in line with the submitted original landscape drawings.

(c) Tree works:

All works shall be carried out in accordance with BS5837:2012 Trees in relation to design, demolition and construction. If, during construction, it becomes apparent that further works or changes are required, work shall not progress any further on site until the applicant has secured a site meeting with a suitably qualified professional to agree the details and phasing of any tree surgery works not detailed in the submitted report. A written schedule shall be submitted to and approved in writing by the Public Realm Section.

(d) Scheme for replacement trees/Compensatory Planting:

Prior to the commencement of use of the development, details of replacement tree planting, indicating positions or density, species, and planting size shall be submitted to and approved by the Planning Authority. Planting shall take place in accordance with the approved details within the first planting season following completion of the development or in accordance with the program of planting approved by the Public Realm Section. Any such trees that are removed die or become, in the opinion of the Public Realm Section, seriously damaged or defective within a period of three years of planting shall be replaced with specimens of a similar size and species as originally required.

(e) SUDs:

No development shall take place until details of the implementation; maintenance and management of the proposed sustainable drainage scheme have been submitted to and approved by the Public Realm Section. These details shall include:

(i) a timetable for its implementation, and

(ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for TIC by SDCC and or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime

REASON: In the interest of proper planning and sustainable development. To ensure that

the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with relevant policies in the CPD 2016-2022. To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

### 3. Roads Requirements.

(a) Prior to commencement of the development, the applicant shall submit a revised layout on a scale of not less than 1:100 showing the relocation of the front boundary wall at the southwest corner of the site, at Ballymount Little Road, in order to allow for the provision of a continuous 2.0m wide footpath and 1.0m grass verge along the frontage of the site.

(b) Prior to commencement of development the applicant/developer shall liaise with the relevant utility/service provider regarding the relocation of the utility/service boxes which are located at the southwest corner of the proposed site for the provision of footpath and grass verge. All costs of utility boxes relocation to be borne by the applicant. The written commitment of the applicant/developer to implement the agreed plan with utility/service provider shall also be lodged to the file.

(c) Prior to commencement of development, the applicant shall provide information with regards to their proposed bin/waste collection arrangement and bin storage and collection locations, including auto track analysis showing how bin truck can access and egress the site safely.

(d) Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.

(e) The proposed development shall make provision for the charging of electric vehicles 100% of spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 10% of surface car parking spaces must be provided with electric vehicle charging points initially. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. REASON: In the interest of sustainable transport.

(f) Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority. Showing number of loads, haulage routes, times of works, etc.

(g) A Mobility Management Plan is to be completed is to be completed within six months of completion of for the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.

(h) Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme for the development with South Dublin County Council Lighting Department.

(i) All items and areas for taking in charge including areas currently in SDCC's charge

shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been approved.

(j) All external bicycle parking spaces shall be covered.

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

4. (a) Drainage - Irish Water.

(i) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

(ii) All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

(iv) Proposed development is at a location where there is an existing 33 inch watermain at site that needs special protection from any site works.

(v) Prior to commencement of development the applicant shall obtain a letter of conformation of feasibility of proposed development from Irish Water.

(vi) Prior to the commencement of development the applicant or developer shall enter into water connection agreement(s) with Irish Water.

(vii) Where relevant prior to the commencement of development the applicant or developer shall enter into waste water connection agreement(s) with Irish Water.

(viii) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ix) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

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

(b) 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.

(c) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, 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 only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place 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, 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 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.

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.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014 the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

*Brian Connolly*      **26-Jan-2022**  
for **Senior Planner**

## NOTES

### **(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION**

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations. 200 I should be consulted.

### **(B) APPEALS**

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
2. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:  
**The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.**
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
  - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development.....€4.500.00 or €9.000 if an E.I.A.R. is involved
  - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1.500.00 or €3,000.00 if an E.I.A.R. is involved
  - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)..... €660.00
  - (d) Appeal other than an appeal mentioned at (a). (b), (c) or (f) ..... €220.00
  - (e) Application for leave to appeal..... €110.00
  - (f) Appeal following a grant of leave to appeal..... €110.00
  - (g) Referral ..... €220.00
  - (h) Reduced fee (payable by specified bodies) ..... €110.00
  - (i) Submission or observations (by observer) ..... €50.00
  - (j) Request from a party for an Oral Hearing..... €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at Telephone 01-858 8100