## PR/0216/22

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

Reg. Reference:SD21A/0343Application Date:15-Dec-2021Submission Type:New ApplicationRegistration Date:15-Dec-2021

**Correspondence Name and Address:** SLR Consulting 7, Dundrum Business Park, Windy

Arbour, Dublin 14

**Proposed Development:** 2 prefabricated units for use as an office (31.5sq.m)

and a canteen (23.3sq.m) located adjacent to the existing permitted Retail Shop (Ref. SD16A/0239) within a 0.0125 hectare application area at the

existing quarry.

**Location:** Belgard Townland, Fortunestown, Tallaght, Dublin

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**Applicant Name:** Roadstone Limited

**Application Type:** Permission

## Site Description:

The subject site is known as Belgard Quarry which is situated south of the N7 (Naas Road) between Newlands Cross and the Kingswood Interchange. The site is bounded by the R136 Outer Ring Road to the west, Katherine Tynan Road and the LUAS red line runs to the south, Cookstown Road to the east and Newlands Golf Club to the north east.

The overall site currently caters for limestone extraction, blasting, crushing, washing, and screening. The quarry produces a wide range of aggregates, concrete products, asphalt, blocks and paving products. There are extensive buildings within the landholding such as offices, labs, stores, building materials retail outlet to facilitate the operations.

The subject site of this application is the 'Roadstone Retail' facility which is located west of Cookstown Road, from which it is accessed. The retail facility comprises a 2-storey building behind a display area laid out with different stone surfaces, with an ancillary building, a customer car park and large storage yard. It adjoins a large staff car park and quarry vehicle car park.

Site Visit: 7/2/22

Site Area: 0.0125 Ha.

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### **Proposal**

2 prefabricated units for use as an office (31.5sq.m) and a canteen (23.3sq.m) located adjacent to the existing permitted Retail Shop (ref. SD16A/0239) within a 0.0125 hectare application area at the existing quarry.

## **Consultations**

Internal

Public Realm No objection.

Irish Water No objection, subject to conditions.

Roads No objection.

External

HSE Environmental Health Officer Recommends Conditions.

### **Zoning**

The site is subject to the "RU" land-use zoning objective, "To protect and improve rural amenity and to provide for the development of agriculture."

#### **Relevant Planning History**

NB: Decisions under those provisions of the Planning Act which relate specifically to quarrying activity not included.

#### Most Relevant Permission

Reg. Ref. SD16A/0239 – Retention permission granted for two storey retail display shop (106.2sq.m) & office (180.8sq.m), paving product sample shed (27.7sq.m), storage shed (169.5sq.m) & water tank (4sq.sq.m), retail concrete plant (59.6sq.m), retail product storage bays (725sq.m), retail product storage yard (c.1.2ha), 2 dry mortar 'Flomix' silos (7.9sq.m & 7.92sq.m), welfare room (10.6sq.m) retail display area (1,785sq.m), storage portacabin (14.6sq.m), screening berm (2,370sq.m, c.2.5m high & 166m long), car park (424sq.m, 23 spaces), security hut (4.2sq.m) & barrier entrance, 3 lamp posts (8.1m, 6.6m & 9.2m high), 2 storage containers (29.5sq.m & 29.5sq.m), 1 lamp post (6.2m high), 1 lamp post (9.5m high), pedestrian entrance, 2 Roadstone Retail Outlet signs at site entrance, 6 flagpoles at 8.7m high, 5 directional signs, footpath, 500m of internal roads, the completion & retention of a 45m long & 3m high product display wall, landscaping & all ancillary development works.

## Other Planning Applications and Planning History

### Reg. Ref. P.C. 9459

A general permission was granted in 1963 to Roadstone Limited under the Town and Regional Planning Acts 1934 /1939 decision order ref. TP/333/63, for development of a limestone quarry and ancillary development of asphalt plant and storage bins for quarry produce at Belgard,

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subject to the submission of detailed plans for approval before any constructional work on buildings is commenced, and to the height of the proposed buildings not exceeding 50 feet.

### **Reg. Ref. A.435**

Outline planning permission was granted to Roadstone Limited for quarry development at Cheeverstown, Clondalkin, under Order No. P/789/68 dated 4 June 1968, subject to conditions, including that no constructional work to be put in hand until detailed drawings have been approved by the planning authority, and the height of any proposed structures or buildings shall not, unless under exceptional circumstances, exceed 50 feet.

### Reg. Ref. B.1117

Planning permission was refused on 25 May 1970 for development of a Limestone quarry at Belgard/Cheeverstown, Clondalkin, for Roadstone Limited, on grounds that the proposed development is not in accordance with the conditions of the outline permission granted under Order Ref. P/789/68 limiting the height of any structures, and failure to submit details for approval, including a programme for reinstatement and landscaping, details of a satisfactory access at the Cheeverstown Road junction with the Naas Road dual-carriageway and at the Cookstown Road junction, and design details of the proposed structures.

#### Reg. Ref. B.1775

Permission refused on 8 February 1970 under decision order ref. P/270/70 for proposed T-junction at Cheeverstown Lane, Naas Road. Reason for refusal stated that the proposed development, which includes a further median break on the existing dual carriageway and crossing movements by heavy commercial vehicles to and from Cheeverstown Lane, would create a serious traffic hazard. Applicant Roadstone Limited.

### Reg. Ref. C.1488

A planning permission Reg. Ref. C.1488 was granted by the Minister for Local Government to Roadstone Limited on appeal, under Decision Order PL. 6/5/16175 dated 28th April 1972, for development consisting of the erection of buildings and the utilisation of land for quarrying and ancillary purposes on a site at Belgard and Naas Road, Clondalkin, subject to 10 conditions.

### Reg. Ref. G.614

Application for workshop and offices at Belgard Quarry dated 22 March 1974, subsequently withdrawn on 26 March 1974. Applicant Roadstone Limited.

### Reg. Ref. G.1085

Application for workshop and offices at Belgard Quarry dated 15 May 1974, subsequently withdrawn on 30 January 1985. Applicant Roadstone Limited.

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### Reg. Ref. G.1350

Permission granted on 25 September 1974 for direction signs at the Naas Road and Fortunestown Lane (Cookstown Road) entrances to Belgard Quarry. Applicant Roadstone Limited.

### Reg. Ref. RA.745

Permission refused on 7 July 1978 under decision order ref. P/2608/78 for development of a products display park for Cement Roadstone Limited at Cheeverstown House Lodge, Naas Road for the following reasons:

- 1. The proposed commercial development would materially contravene the zoning objective "to provide for the further development of agriculture" and would militate against the preservation of the rural environment.
- 2. Public piped services not available to serve the proposal.
- 3. The proposed development would be premature by reason of existing deficiency in the provision of sewerage facilities, and the proposal to provide a private treatment plant is not acceptable.
- 4. The proposed development would endanger public safety by reason of traffic hazard due to the generation of additional traffic turning movements on the heavily trafficked Naas Road Dual Carriageway National Primary Route N7.

### Reg. Ref. S01A/0195

Application received from Roadstone (Dublin) Limited on 4 April 2001 for development of a plant for the manufacture of precast concrete products with associated offices (approximate gross floor area of 4,831sq.m); batching plant incorporating cement silo and aggregate storage bins. No response was received to a request for additional information. The information requested included details of existing buildings in the vicinity of the application site and the relevant planning history; details of activities/ processes carried out on the site prior to and subsequent to the proposed development being carried out; and whether an Environmental Impact Statement is required in respect of the proposed development and to submit one if considered necessary.

#### Reg. Ref. SD02A/0167

Planning permission granted on 3 July 2002 under decision order ref. P/2401/02 for use of a 3.9 hectares site for the recovery of pre-sorted construction and demolition waste, namely concrete, bricks, tiles and ceramics, asphalt and topsoil.

## Reg. Ref. SD06A/0915

Planning permission granted on 25 September 2007 for an asphalt plant and ancillary facilities on a site area c. 3 acres at Belgard Quarry. Applicant SIAC Bituminous Products Ltd.

### Reg. Ref. SD07A/1047

Planning permission granted on 1 April 2008 for construction of a new site access onto the outer ring road, and related new internal roadway, office building, canteen and toilet facilities, security

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hut, wheelwash weighbridges, oil interceptor, septic tank and associated percolation area, car parking spaces, and signage.

## Reg. Ref. SD08A/0731

Permission granted on 10 February 2009 for installation of an ESB 38kV overhead line switching compound on part of the Belgard Quarry lands at Cheeverstown.

### Reg. Ref. SD12A/0137

Permission granted on 12-Nov-2012 for proposed completion of landscaping to an existing partially completed screening berm at Belgard quarry in Bedlesshill townland.

**Reg. Ref. SD12A/0156** – A recycled asphalt plant addition to the existing asphalt plant and an open covered storage shed (1815sq.m). South Dublin County Council granted permission with a final grant dated 31<sup>st</sup> October 2012.

**Reg. Ref. SD16A/0241**: Application has been submitted to retain single storey Roadstone Main Office (697sq.m), the single storey ISAC Office (766sq.m), 8 storage portacabins (14.6sq.m, 36.8sq.m, 14.6sq.m, 14.6sq.m) & one storage container (29.5sq.m), LPG gas store vessel (5.25sq.m, 2200 litre), office bin storage area (27.5sq.m), car park 35 spaces (1300sq.m), car park 73 spaces (1577sq.m), aerial pole 21.85m high with lighting at 11.1m high, fence 1.8m high and 30m long), 4 lamp posts (4.75m high), 3 security camera posts (2.2m, 2.2m & 5.9m high), 2 lamp posts (6.1m high), Roadstone office sign, 'Tricel' effluent treatment system and sand polishing filter, internal roads, footpaths, landscaping and all ancillary site development works. The proposed development comprises 30sq.m single storey additional office space within the existing courtyard of the main office building and all ancillary site development works. South Dublin County Council granted permission and retention with a final grant dated 2<sup>nd</sup> May 2017.

Reg. Ref. SD16A/0293 - Retention of the following: (1) Quarry control office & garage (1835sq.m) & 5 storage portacabins (14sq.m,14sq.m, 14sq.m 12.6sq.m & 8.4sq.m); (2) ESB switching station (58sq.m) & substation (36sq.m); (3) spare parts storage area (c. 2445sq.m); (4) maintenance shed (117.7sq.m); (5) car park (30 spaces & 627.7sq.m); (6) 2 lampost (10.5m high); (7) 'Clause 804' plant (1177.7sq.m); (8) wet sand plant (684.4sq.m); (9) 2 weighbridges (325.4sq.m); (10) general waste storage area (c. 12.5sq.m); (11) quarry fuelling station with two 9m3 fuel tanks (126.8sq.m); (12) metal recycling storage area (c.310sq.m); (13) truck parking area (c. 6632sq.m); (14) 1 security camera post (2.2m high); (15) 1 lamp post (9.2 high); (16) hydrocarbon interceptor; (17) tyre storage bays (c.140sq.m); (18) dry sand plant (2203.4sq.m); (19) 1 lamp post (10.3m high); (20) quarry stores (163sq.m); (21) effluent holding tank; (22) security station (13.9sq.m) and 2 lamp post (6.5m high); (23) wheel wash (236.3sq.m); (24) 'Tricel' effluent treatment system; (25) settlement lagoon system (3208.9sq.m); (26) sand polishing filter; (27) security fence (2.9m high); (28) overburden storage mound (7.3

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ha); (29) perimeter screening berm (5m to 8m high by 1.6km long & 6ha); (30) perimeter screening berm (5.2m high by 310m long & 7930sq.m); (31) plant storage area (8356sq.m); (32) perimeter screening berm (9.2m high by 147 long & 4770sq.m); (33) screening berm (8.4m high by 340m long & 5257sq.m); (34) perimeter screening berm (6.5m high by 240m long & 5665sq.m); (35) perimeter screening berm (9m high by 320m long & 1ha); (36) screening berm (2.7m high by 245m long &3125sq.m); (37) screening berm (3.5m high by 950m long & 1.1ha); (38) screening berm (3m high by 243m long & 3030sq.m); (39) screening berm (3.3m high by 238m long & 2088sq.m); (40) settlement pond area (6.4ha); (41) screening berm (3.5m high by 379m long & 4793sq.m); (42) screening berm (3.1m high by 244m long & 3743sq.m); (43) internal access road (285m long) to Outer Ring Road entrance/exit, gate, pedestrian gates, footpaths, paladin fencing (1.8m high) & 6 lampposts (6m high); (44) screening berm (5.2m high by 215m long & 4040sq.m); (45) relocation of entrance to C&D recovery site permitted under SD02A/0167 & all ancillary site works; internal roads & landscape planting. South Dublin County Council sought additional information on 6 items: visual impact; landscaping; environmental impact; water layouts; screening for appropriate assessment; and ecological impact. South Dublin County Council granted permission with a final grant dated 4<sup>th</sup> August 2017.

Reg. Ref. SD16A/0410 - Retention of: (1) plant/parking storage area (c.1457sq.m); (2) truck/car parking area (c.653sq.m); (3) fuelling station (129.7sq.m) & 2 fuel containers (c. 25sq.m & 23sq.m); (4) 4 transportation garage truck wash out bays (c. 433.5sq.m); (5) bunded fuel storage tanks (233sq.m); (6) oil interceptor; (7) 3 storage containers (30.2sq.m each); (8) truck/car parking area (592sq.m); (9) transportation garage & office with two storey back office/canteen/stores (2036.9sq.m), 2 storage portacabins (16.4sq.m & 10.5sq.m), 1 storage container (c. 7.5sq.m) & generator; (10) 1 lamp post (7.8m high); (11) bunded fuel storage (74sq.m); (12) 5 lamp posts (5.7m high); (13) 5 lamp post from 6.6m to 7.2m high; (14) screening berm (3.7m high by 106m long & 936sq.m); (15) car park for transportation garage & office staff (924sq.m); (16) 1 lamp post (7.8m high); (17) sprinkler system; (18) lab/offices (503.7sq.m) & 3 storage containers (30sq.m each) with 'Biocycle' effluent treatment system; (19) central waste storage container area (c. 860sq.m); (20) 1 storage container (11.9sq.m); (21) metal recycling storage area (c. 324sq.m); (22) 2 lampposts (6.7m & 10m high); (23) fuel/storage shed & fuel tank (162.6sq.m); (24) aggregate storage bays (c. 306sq.m); (25) waste (stone/brick) storage bays (c. 71sq.m); (26) mould blocks storage area (c. 45sq.m); (27) paving plant (2,110sq.m) with elevated feed hopper; (28) 1 storage container (26.4sq.m); (29) rumbler plant (106.8sq.m); (30) packing plant & rumbler (243.8sq.m); (31) 3 security light towers (15.2m & 21.2m & 8.9m high); (32) concrete block/paving storage yard (c. 4.2ha); (33) block plant 2 (3210sq.m); (34) 2 storage porta cabins (27.6sq.m & 34.1sq.m); (35) office/canteen/changing rooms/toilets (c. 133.67sq.m), 1 storage container (c. 14.2sq.m) & 1 storage porta cabin (c. 9.3sq.m); (36) central orders office (85.3sq.m); (37); 1 lamp post (8.8m high); (38) sample storage area (c. 78sq.m); (39) aggregate storage bay (c. 330sq.m); (40) aggregate storage bays (762sq.m); (41) workshop & stores (c. 164.6sq.m); (42) mortar plant (c. 170.8sq.m), substation

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(14.1sq.m) & stores (29.1sq.m); (43) block plant 1 (3604sq.m) & feeder hopper conveyor to block plant (c. 322sq.m); (44) 'Flomix' silo storage area (c. 299sq.m); (45) Dry Mortar 'Flomix' plant (c. 452sq.m) & storage container (15sq.m); (46) storage bays (427sq.m); (47) 1 Security Cameras Post (7.8m high); (48) sprinklers system; (49) 4 security light tower (1 at 22.1m & 3 at 16.9m high); (50) 2 truck containers (c. 29.2sq.m each); (51) 1 storage container (c. 21.8sq.m) & water tank (9.3sq.m); (52) attenuation pond (c. 4176sq.m); (53) water tank (c. 35sq.m); (54) 1 lamp post (8.8m high); (55) 5 concrete truck wash out bays (c. 322.5sq.m); (56) 1 container (14.1sq.m); (57) block & concrete dispatch office (c. 97.9sq.m); (58) effluent pump station (c. 12.5sq.m); (59) aggregate storage area (c. 1.95ha); (60) roller crusher mill (65.8sq.m); (61) 'Skako' concrete plant (c. 330sq.m) & 2 storage containers (c. 22sq.m & c. 14sq.m); (62) aggregate storage bays (c. 582sq.m); (63) contracts plant storage yard (c. 4311sq.m); (64) 4 contracts yard storage containers (3 at 11.9sq.m & 1 at 29.8sq.m); & all ancillary site development works, internal roads & landscape planting. Permission was granted.

**Reg. Ref. SD19A/0086** – Permission was granted for an extension (600sq.m) to a storage shed (1805sq.m) (Ref.SD12A/0156); cover for 3 existing ground level aggregate storage bays (c.651sq.m); 2 storage containers at quarry garage (c.28.8sq.m); 1 storage container at quarry void (c.28.8sq.m); removal of 2 storage containers (c.59sq.m); extension to storage shed within the retail shop yard (172.5sq.m) (Ref. SD16A/0239) on a site of 0.1822 hectares.

**Reg. Ref. SD19A/0223** – Permission was granted for Concrete plant (715sq.m) with a maximum height of 18 metres; extension to the extension to the existing Dry Mortar 'Flomix' plant (302sq.m) with a maximum height of 33.3 metres (Ref. SD16A/0410); truck wash out bays (187sq.m); a water storage tank (35sq.m.); ancillary facilities within a 1.50 hectare application area at the existing quarry.

### **Relevant Planning Enforcement History**

None found in preliminary search.

### **Pre-Planning Consultation**

None.

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

None.

## **Relevant Policy**

### South Dublin County Development Plan 2016 - 2022

Chapter 4: Economic Development and Tourism Section 4.7.0 Mineral Extraction

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Chapter 5: Urban Centres and Retail

## **Relevant National and Regional Policy**

National Planning Framework, 2018 – 2040

Regional Spatial and Economic Strategy 2019, Eastern and Midlands Region

**Quarries & Ancillary Activities: Guidelines for Planning Authorities,** Department of Environment, Heritage and Local Government in April 2004.

Waste Management Plan for the Dublin Region 2005-2010, Dublin City Council, Dun Laoghaire-Rathdown County Council, Fingal County Council and South Dublin County Council, (2005)

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:

- Zoning and council policy
- Visual Impact
- Public Realm
- Access, Transport and Parking
- Water
- Environmental Health
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

## **Zoning and Council policy**

The site is subject to land-use zoning objective 'RU' – "To protect and improve rural amenity and to provide for the development of agriculture." The proposed development is considered to be ancillary to the retail/extractive industry use that is well established on the site.

The proposed development comprises two cabins for office space and a canteen respectively. The applicant states in their cover letter that the cabins will be used by existing staff in the retail facility and are required in order to provide larger facilities to allow for social distancing among staff.

The proposed use is acceptable but the buildings should be tied by condition to be used as part of the retail centre.

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### **Visual Impact**

The use of prefabricated buildings does not impinge on the character or amenity of the area due to its current context. It is noted that the cabins are to be located to the rear of the retail centre and therefore out of view of customers. The need for additional indoor workspace on the site is noted and the particular form of development proposed is considered to be suitable in the short-term. If the need for additional space continues on a long-term basis, however, the expansion of the retail centre should proceed in a formal manner with permanent structures. For this reason, a grant of permission should limit the duration of the permission to 5 years.

#### Public Realm

The Public Realm Department has stated no objection to the proposed development.

## **Access, Transport and Parking**

The Roads Department has noted that the proposal will not generate additional demand for parking and has stated no objection.

#### Water

Irish Water has stated no objection subject to standard conditions. There is no report from the Environmental Services Department in relation to surface water.

The proposed cabins would be located on an area of hard standing. The applicant notes in their application form that the cabins would not result in a material increase in the existing surface water run-off. The site currently operates a site water management system with an existing discharge licence (see application form). The proposal is considered acceptable subject to standard conditions.

#### **Environmental Health**

The HSE Environmental Health Officer states no objection and proposed no conditions.

### **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,3therefore, be excluded at preliminary examination and a screening determination is not required.

### **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.

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#### **Other Considerations**

#### **Bonds & Contributions**

The proposal is for 2 cabins to be used as part of a retail centre. Floor areas are as follows: Office Cabin -35.1sq.m Canteen -23.3sq.m

The South Dublin County Council Development Contributions Scheme 2021 - 2025 states that "developments permitted by way of a single permission of a temporary duration or cumulative temporary permissions of not greater than 5 years in total, shall be exempt. Subsequent permissions which cause the total duration to exceed 5 years will be assessable for the purposes of applying development contributions".

Assessable area is therefore nil and development contributions are not applicable.

#### **SEA Monitoring**

Building Use Type Proposed – Commercial Floor Area (sq.m.) – 58.4 Land Type - Brownfield Site Area (Ha.) – 0.0125

#### Conclusion

Having regard to the existing facility and use, and the modest nature of the proposed development, it is considered the that proposed development is acceptable under the 'RU' landuse zoning objective and the relevant policies of the South Dublin County Development Plan 2016-2022, and would accord 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.

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### SECOND SCHEDULE

#### **Conditions and Reasons**

1. Development in accordance with submitted plans and details.

The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, 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. Restriction on Use.

The permitted structures shall be jointly used as ancillary staff accommodation relating to the retail unit granted under SD16A/0249 and shall not be used for any other purpose, nor separately leased, transferred or otherwise conveyed.

REASON: To prevent unauthorised development.

### 3. Duration of permission.

The prefabricated accommodation hereby granted permission is on a temporary basis for a period of 5 years from the date of the final grant of permission, after which time the temporary structure shall be removed from the site within six months, unless prior to that date, permission for its retention for a further period has been granted by the Planning Authority, or An Bord Pleanála on appeal.

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

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.

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REG. REF. SD21A/0343 LOCATION: Belgard Townland, Fortunestown, Tallaght, Dublin 24

Colo Maguire, 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.

Data

Eoin Burke, Senior Planner