

An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
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Reddy Architecture & Urbanism
Douglas Business Centre
Carrigaline Road
Douglas
Co.Cork

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

Final Grant Order Number: 0229	Date of Final Grant: 21-Feb-2022
Register Reference: SDZ21A/0013	Date: 24-Jan-2022

Applicant: The Department of Education

Development: A 3 storey, 1,000 pupil post primary school (Roll no. 76454S) including a 4 classroom Special Educational Needs Unit with a gross floor area of 11,443sq.m including sports hall and all ancillary teacher & pupil facilities; bicycle parking; staff parking; vehicle drop off/set down areas; internal access roads; hard and soft play areas; piped infrastructure and ducting; plant; landscaping and boundary treatments; PV panels; external courtyards; disabled car parking spaces; ESB substation, ramps & stairs; signage; changes in level and all associated site development and excavation works above and below ground all on a site bounded to the east by the R136 Outer Ring, to the north by the existing site adjacent to south of Griffeen Avenue, to the west to existing site adjacent to Lucan East Educate Together National School and to the south to existing site adjacent to Adamstown Link Road. The proposed development is located within the Clonburris Strategic Development Zone Planning Scheme 2019 area.

Location: Kishogue Cross, Griffeen Avenue, Lucan, Co. Dublin

Time extension(s) up to and

including:

Additional Information 27-Jul-2021/07-Dec-2021, 13-Jan-2022/24-Jan-2022
Requested/Received:

This Proposal is in the Clonburris Strategic Development Zone, and in accordance with Section 170 (4), of the Planning & Development Act 2000 (as amended), a decision is hereby made to **GRANT PERMISSION** for the Development described above, subject to the following Conditions:

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 7th of December 2021 and Clarification of Further Information received on the 24th of January 2022, 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. Public Realm
 - (a) Tree Protection/Retention of Existing Green Infrastructure
 - (i) Elements of Hedgerow G194 & G195 shown to be removed on Tree Retention and Removal Plan outside the red line boundary shall be retained.
 - (ii) The arborist shall submit a Tree Protection Plan in accordance with, BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations, i.e. a scaled site plan (1:500@A1) of the proposed development, clearly showing and distinguishing (by colour coding) those trees and hedges to be retained and protected and those to be removed; showing alignments of Tree Protection Fencing and areas to be excluded from construction activities and compound(s), site office(s), plant, equipment and materials storage. Root Protection Areas (RPAs) of all trees and hedgerows to be clearly shown on this drawing.
 - (iii) The arborist shall submit photographs and confirmation that fencing for retained trees meets BS5837:2012 'Trees in Relation to Design, Demolition and Construction – Recommendations' for the written agreement of the Public Realm Section.
 - (iv) All tree felling, surgery and remedial works shall be completed upon completion of the 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 shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.
 - (v) The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees.
 - (vi) A completion certificate is to be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree

report. The certificate shall be submitted to the planning authority for written agreement upon completion of the works.

REASON: To ensure the protection of trees to be retained on site in the interests of climate adaptation, proper planning and sustainable development.

(b) Tree Bond and Arboricultural Agreement

(i) Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €124,295 with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period.

(ii) The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

(iii) An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

REASON: to ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site.

(c) Implementation of Landscape Plans

(i) The Landscape Plans, shall be implemented in full, within the first planting season following completion of the development (completion of construction works on site),

(ii) All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan.

(iii) 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).

(iv) 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'.

(v) 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.
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 South Dublin County Development Plan 2016-2022.

(d) Retention of Landscape Consultant

(i) To ensure full implementation of the proposed landscape design, the developer is required to retain the services of a Landscape Consultant throughout the life of the site development works.

(ii) A completion certificate is to be signed off by the Landscape Consultant when all works are completed and in line with the submitted and agreed landscape drawings.

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 South Dublin County Development Plan 2016-2022.

3. Roads

(a) All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to the commencement of development the applicant/developer shall submit construction details of all items to be taken in charge for the written agreement of the Planning Authority. No development shall take place until these items have been agreed.

(b) Prior to the commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

(c) Prior to the commencement of development, the applicant/developer shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.

(d) Within six months of opening of the proposed development a Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.

(e) Prior to the commencement of development a Public Lighting Design for the development must be submitted for the written agreement of the Planning Authority, following consultation with South Dublin County Council's Public Lighting team if required.

REASON: To comply with the Councils taking in charge standards, and in the interests of traffic safety and sustainable transport.

4. Archaeology

(a) The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

(b) Should archaeological material be discovered during the course of Archaeological

Monitoring, the applicant shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.

(c) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

5. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and wastewater connection agreements with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

6. Drainage

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

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

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

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.

7. Signage

No advertising sign(s) or structure(s) (including any signs installed to be visible through windows), banners, canopies, flags, or other projecting elements shall be erected, except those which are exempted development, without the prior approval of the Planning Authority or An Bord Pleanála on appeal.

REASON: In the interest of visual amenity, compliance with development plan policies and the proper planning and sustainable development of the area.

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, 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.

10. The pedestrian and cyclist entrances on the western boundary shall be fully constructed with a temporary locked gate. When the adjacent street to the west is constructed and open, the entrances shall open and become functional.

REASON: In the interests of sustainable transport and 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.

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: 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.

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 to 2006.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001-2006, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

Date: 24-Feb-2022


for **Senior Planner**