

South Dublin County Council
An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
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Dublin 3

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

Decision Order Number: 0374	Date of Decision: 24-Mar-2022
Register Reference: SD21A/0181	Date: 25-Feb-2022

Applicant: Ballyfermot United Sports & Social Club (BUSSC)

Development: Alterations to previous approved planning application, Reg. Ref. SD15A/0105, consisting of: construction of a new single storey flat roof modular changing facilities (293sq.m) ancillary to the existing playing pitch; relocation of approved 38 carparking spaces and 2 coach parking bays from northern boundary to the eastern boundary adjacent to Cloverhill Road installation of new overhead flood lights; 3 new flag poles; continuation of previously permitted boundary wall and footpath (Reg. Ref. SD15A/010) extending along the south eastern boundary, with addition of new security fencing added to top of wall, all adjacent to Cloverhill Road; new entrance gates (accessed via the permitted entrance off Cloverhill Road); all associated boundary treatment, landscaping and ancillary works necessary to facilitate the development.

Location: Cloverhill Road, Clondalin, Dublin 22

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 25-Aug-2021 /25-Feb-2022

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 25 February 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. Parent Permission.
 - (a) This permission shall expire upon the expiry of permission Reg. Ref. SD15A/0105, as extended by SD15A/0105/EP.
 - (b) The conditions attached to the permission referenced in part (a) shall apply to this permission, save as may be required by these conditions.REASON: To ensure integration with the existing planning permission and to specify the date on which the permission shall expire and clarify the conditions attached to the development.
3. Parking Area.
As stated in the statutory notices, this permission relates to the relocation of approved (under Reg Ref. SD15A/0105) 38 carparking spaces and 2 coach parking bays from northern boundary to the eastern boundary. The applicant shall therefore undertake the

following:

1. The 38 carparking spaces and 2 coach parking bays, as permitted under Reg Ref. SD15A/0105, shall not be constructed;
2. Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:
Revised plans that incorporate all of the following amendments-
 - (a) Proposed landscaping for the area to the north of the football pitch, which was previously proposed as parking under SD15A/0105;
3. The parking hereby permitted shall be used in conjunction with the operations of Ballyfermot Football Club only, unless otherwise agreed in writing with the Planning Authority and shall not be used for commercial purposes.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

4. Roads.

- (1) The boundary wall, public footpath, and grass verge along the Cloverhill Road boundary of the site shall be completed prior to commencement of any works within the site, to provide adequate vision splays for existing traffic during the construction phase.
- (2) Prior to commencement the applicant shall submit a Road Construction Detail for the development and be for the written agreement of the Planning Authority.
- (3) The proposed floodlighting shall be positioned and cowled to avoid lighting overspill and glare on the adjoining M50 motorway. Level of illumination, location, orientation of lamps to be reviewable at any time by the Roads Department and adjustments made by the applicant/developer at his own expense if required to do so by South Dublin County Council or TII.
- (4) A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be for the written agreement of the Planning Authority. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.
- (5) Prior to the commencement of development, the applicant shall submit and agree in writing a public lighting scheme with South Dublin County Council Lighting Department. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department.
- (6) Prior to commencement of development a Construction Traffic Management Plan shall be submitted for the written agreement of the Planning Authority. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.
- (7) 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 agreed.
- (8) All pedestrian footpaths must be a minimum of 2.0m in width.

REASON: In the interest of sustainable transport.

5. Landscape Plan

A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site the applicant, owner or developer shall have lodged for the approval Planning Authority;

(a) A fully detailed landscape plan, to be agreed with Public Realm, with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations in addition the applicant is requested to submit a fully detailed Planting Plan for the development.

(b) The planting plan shall clearly set out the following:

(i) Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate

(ii) Implementation timetables.

(iii) Detailed proposals for the future maintenance/management of all landscaped areas.

The landscape proposals shall ensure no net loss of existing tree cover within the subject site to which the development applies.

REASON: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with relevant policies in the CDP 206-2022.

6. Implementation of Landscape Plans

(a) The Landscape Plans once approved by the Public Realm Section shall be implemented in full within the first planting season following completion of the development.

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

(c) 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).

(d) 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'.

(e) 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 the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

7. SuDS

Prior to the commencement of development, the applicant shall submit the following information for the written approval of the Planning Authority:

(i) the applicant shall submit details to the Planning Authority which clarify the proposed greenfield run off rate (Qbar) calculations, as it is unclear what areas have been included in these calculations.

(ii) the applicant shall submit a revised report showing Qbar calculations including site SAAR and SOIL Values as well as MET Eireann Rainfall data. If the applicant is using the entire site area in Qbar calculations then this entire area shall be accounted for in attenuation calculations. Revised attenuation calculations shall be submitted also on this basis.

(iii) A drawing to show how surface water shall be attenuated to greenfield run off rates.

(iv) Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed. Examples of SuDS include permeable paving, filter drain planter boxes or other such SuDS.

(v) SUDS Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

(vi) Additional natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should provide the following:

(a) Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.

(b) Tree pits incorporating SUDS features should include a deep cellular water storage/attenuation area below the surface which acts as a soak away allowing surface water to infiltrate into the ground

(v) The proposed attenuation tank shall be omitted and replaced within SuDS measures. REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, 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.

8. Retained Trees.

No retained trees shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the Public Realm Section.

REASON: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with relevant policies here.

9. Tree Protection Measures

Prior to the commencement of development, the applicant shall submit 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 Local 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.

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.

10. Drainage.

(a) All works are to comply with the Irish Water Standard Details & Code of Practice for Wastewater Infrastructure.

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

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

(d) 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.

11. Water Supply.

Prior to the commencement of development, the applicant shall submit:

(a) Details of the water supply, indicating that the existing and proposed well water supply must be fitted with a water treatment system which renders the water potable and in compliance with parametric values as set out in European Union (Drinking Water) Regulations 2014;

(b) If the applicant is unable to provide the details, as requested under point (a), then the applicant shall provide details of connection to public mains.

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

12. Environmental Health.

Noise - Construction Phase

(1) No heavy construction equipment/machinery (to include pneumatic drills,

construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 08:00 hours on weekdays and 09:00 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.

(2) Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood. The applicant must comply with British Standard B.S. 5228 Noise Control on Construction and Open Sites Noise - Operational Phase

(3) Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

(4) The development shall be so operated that there will be no emissions of noise / vibration on site as would give reasonable cause for annoyance to any person in any nearby premises.

Dust

(5) During the construction phase, 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 detailed in the environmental report submitted as part of the planning application.

(6) All necessary measures shall be taken by the developer to prevent the spillage or deposit of clay rubble and other debris on adjoining roads during the course of the work implementing this permission.

Lighting

(7) The lighting to be used on site must not be intrusive to any light sensitive location including residential properties, public areas or commercial buildings in close proximity to the development.

Pest Control

(8) The applicant shall take suitable pest control precautions on site so as to control rodent activity on site. This may include precautionary laying of bait, covering of all skips, control of all waste on site and regular inspection of any stockpiles of earth on site for rodent activity.

Waste Storage

(9) A suitable location for the storage of refuse shall be provided during the fitting out and operational phase of the development so as to prevent a public health nuisance.

REASON: In the interests of protecting the environment.

13. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €28,936.68 (twenty eight thousand, nine hundred and thirty six euro and sixty eight cent), 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 contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

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.

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.

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.


for Senior Planner

25-Mar-2022

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