

An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
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Oonagh Collins  
24A Fortfield Terrace  
Rathmines  
Dublin 6

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

Final Grant Order No.:	<b>0871</b>	Date of Final Grant:	<b>04-Aug-2017</b>
Decision Order No.:	<b>0706</b>	Date of Decision:	<b>27-Jun-2017</b>
Register Reference:	<b>SD16A/0446</b>	Date:	<b>01-Jun-2017</b>

**Applicant:** Niall Collins

**Development:** 3 storey 6 apartment unit, 1 semi-detached unit and 1 detached unit including car and bicycle parking facilities, bins and landscaping with new entrance gate.

**Location:** Rear of J. Collins Butchers, Main Street, Lucan, Co. Dublin

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

**Additional Information Requested/Received:** 21-Feb-2017 / 01-Jun-2017

A Permission has been granted for the development described above, subject to the following conditions.

**Conditions and Reasons:**

- 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 1st June 2017, 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.

- (a) The applicant/developer shall engage the services of a suitably qualified archaeologist (licensed under the National Monuments Acts 1930–2004) to carry out pre-development testing at the site. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent. The archaeologist shall notify the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs in writing at least four weeks prior to the commencement of site preparations which will allow the archaeologist sufficient time to obtain a licence to carry out the work. The archaeologist shall carry out any relevant documentary research and may excavate test trenches on site. Having completed the work, the archaeologist shall submit a written report to the Planning Authority and to the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs for consideration.

(b) Where archaeological material is shown to be present, avoidance, preservation in situ, preservation by record (excavation) and/or monitoring may be required and the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs shall advise the Applicant/Developer with regard to these matters.

(c) No site preparation or construction work shall be carried out until after the archaeologist's report has been submitted and permission to proceed has been received in writing from the

**Planning Authority in consultation with the Department of Arts, Heritage, Regional, Rural and**

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Gaeltacht Affairs.

**REASON:** To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

3. No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;
- (i) Revised plans that incorporate all of the following amendments-
    - (a) The development shall not be gated.
    - (b) Details of the shared access laneway shall be agreed with the Roads Department, South Dublin County Council
    - (c) The applicant/developer shall undertake a Road Safety Audit Stage 2 on the detailed design of the project and shall undertake a Road Safety Audit Stage 3 on the development once construction is complete.
    - (d) A Construction Traffic Management Plan shall be agreed with the Roads Department prior to commencement of development
    - (e) Footpath and kerb shall be dished and widened dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense.
    - (f) Prior to 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. Under this Act, non-compliance constitutes an offence.
- The applicant, owner or developer may consult with the Roads Department in advance of lodging the required revised plans.
- (ii) A commitment to complete the development in accordance with the required revised plans, and;
  - (iii) The above requirements have been lodged with and this has been acknowledged in writing by the Planning Authority

**REASON:** To protect the amenities of the area, compliance with Development Plan Policy and in the interests of the proper planning and sustainable development of the area.

4. (a) Prior to commencement of development the applicant/developer shall liaise with the Area Engineer, Deansrath Depot to locate and agree the watermain layout and connection.
- (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.
- (c) All pre cast manholes shall have a minimum thickness surround of 150mm Concrete Class B.
- (d) All works for this development as approved shall fully comply with the following standards and/or the requirements of Irish Water:-
- The South Dublin County Council 'Specification for the Laying of Watermains and Drinking Water Supply' which can be viewed/downloaded from <http://www.sdcc.ie/sites/default/files/publications/sdcc-water-specification-jan-2012.pdf>, the Building Regulations 2010 Technical Guidance Document B & H and the Irish Water Standard Details (mandatory for all Irish Water Connection Agreement Offers issued after 6th June 2016 and available at <http://www.water.ie/help-centre/connections>) and The Greater Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from the South Dublin County Council website at the following link <http://www.sdcc.ie/sites/default/files/publications/greater-dublin-regional-code-of-practice-for-drainage-works.pdf>

**REASON:** In the interests of public health and in order to ensure adequate water supply and drainage provision.

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5. The following requirements of the HSE Environmental Health Officer shall be adhered to in full;
- (a) During any demolition or construction of the proposed development, all necessary steps to contain dust arising from any works shall be taken so as to prevent a nuisance being caused. There shall be compliance with British Standard B.S. 5228 Noise Control on Construction and Open Sites.
  - (b) A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance
  - (c) Any connections to the main sewer shall be connected so as not to give rise to a public health nuisance
- REASON: In the interests of public health.

6. External wall brick finishes shall comprise of a light coloured red brick which shall be agreed with the Planning Authority prior to commencement of development. Brick finish on residential units shall be as indicated on the approved elevational drawings submitted. Prior to the commencement of development on site, sample panels of 2m X 2m of external finishing materials shall be erected on site and once approved, retained for the duration of development for quality control purposes. Development shall be carried out in accordance with the approved samples.
- REASON: In the interest of visual amenity and development control.

7. (i) The submitted landscape plans received by the Planning Authority shall be implemented in full, within the first planting season following completion of the development and prior to occupation of the new dwellings 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 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.

8. No development shall commence on this site until the developer has retained the professional services of a qualified Landscape Architect, as his/her Landscape Consultant, throughout the life of the site development works. The developer shall notify the Planning Authority of that appointment in writing prior to commencement of works on site. The developer shall engage the Landscape Consultant to procure, oversee and supervise the landscape contract for the implementation of the permitted landscape proposals. When all landscape works are inspected and completed to the satisfaction of the Landscape Consultant, he/she shall prepare, sign and submit a Practical Completion Certificate (PCC) to the Parks and Landscape Services Section, South Dublin County Council as verification that the approved landscape plans and specification have actually been fully implemented.

REASON: To ensure full and verifiable implementation of the approved landscape design.

proposals for the permitted development, to the approved standards and specification.

9. Each proposed residential unit shall be used and occupied as a single dwelling unit and shall not be sub-divided or used for any commercial purposes.  
REASON: To prevent unauthorised development.
10. Satellite dishes shall not be erected on the front elevation of any residential unit on site.  
REASON; In the interests of visual amenity.
11. No dwelling unit shall be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.  
REASON: In the interest of the proper planning and sustainable development of the area.
12. All utility cables including information and communications technology (ICT) equipment shall be located underground throughout the entire site.  
REASON: In the interests of amenity.
13. No development shall take place under this permission until the applicant, developer, or owner has lodged with the Planning Authority:
  - (i) A name and dwelling/unit numbering scheme, for the approved development that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme, and
  - (ii) This has been acknowledged as acceptable in writing by the Planning Authority.
 The development name should avoid any duplication within the county of existing names and reflect the local and historical context of the approved development.  
Proposals for an apartment name and numbering scheme and associated signage shall be lodged with the Planning Authority before any development takes place.  
The applicant, developer, or owner is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required scheme.  
REASON: In the interest of the proper planning and sustainable development of the area and compliance with South Dublin County Council's Development Plan.
14. 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.
15. No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority:
  - (i) A Public Lighting Scheme for the development as approved, designed to provide for high quality public lighting throughout the public realm of the site, prepared by competent public lighting design consultants to BS5489: European Lighting Standard EN13201 and the SDCC Specification for Public Lighting Installations in Residential and Industrial Developments: Revision 2 dated 14/10/2016, along with;
  - (ii) Written confirmation from the Council's Public Lighting Section that the scheme is fully in compliance with the above standards applicable, and
  - (iii) A written commitment to implement the agreed Public Lighting Scheme in full, and
  - (iv) All the above requirements have been acknowledged in writing as acceptable by the Planning Authority.

**Completed Lighting Design and Electrical designs to serve the entire development including**

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details of the overall height of all proposed equipment shall be lodged with the Public Lighting Scheme. Appropriate natural or artificial lighting or both shall be provided and maintained throughout car parking areas.

The external lighting scheme shall be designed to minimise potential glare and light spillage and shall be positioned and/or cowled away from residential properties. No lighting column shall be located within the eventual canopy spread of any proposed street tree or other tree as the case may be. The public lighting design consultants should consult with the Council's Parks section in this regard. In addition, no dwelling unit shall be occupied until the public lighting is operational fully in accordance with the agreed Public Lighting Scheme for the overall development.

The applicant, owner or developer may consult with the Council's Public Lighting Section before lodging the required plan for agreement.

**REASON:** In the interests of public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.

16. (a) The applicant shall ensure that suitable facilities for vehicle cleansing and wheel washing, to the satisfaction of the Area Engineer, are provided on site prior to commencing of earthworks and that such facilities are maintained in a satisfactorily operational condition during all periods of earthworks.
- (b) Provision for dust suppression measures in periods of extended dry weather
- (c) Provision for the flexible use of a road sweeper if an acute situation on the adjoining public road requires it.
- (d) The applicant shall ensure that on-site car parking facilities are provided in accordance with Council requirements and standards to the satisfaction of South Dublin County Council, are made available for site workers during the course of construction.
- (e) The applicant shall maintain all footpaths and roads affected by the development works in a safe and tidy condition in accordance with the requirements of the Council's Roads Section or the Council's Area Engineer.

**REASON:** In the interest of the amenity, safety and maintenance of adjoining roads and footpaths.

17. (a) Construction and Demolition waste, arising from the development of the site, shall be kept to a minimum, segregated where appropriate, and disposed/recovered at a waste facility authorised under the Waste Management (Facility Permit and Registration) Regulations 2007, as amended, to accept the categories of waste. This authorised waste facility shall have the required annual capacity to receive the categories of waste
- (c) All Construction and Demolition waste, arising from the development of the site, shall be transported by a waste collection permit holder authorised by the National Waste Collection Permit Office, Aras an Chontae, Charleville Road, Tullamore, Co. Offaly.
- (d) Copies of waste disposal recovery records, including waste collector dockets/invoices and weighbridge dockets, shall be maintained on site and made available, at all reasonable times, for inspection by Authorised Persons as appointed under the Waste Management Act 1996, as amended.
- (e) A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the development works, in accordance with the European Communities (Shipment of Hazardous Waste Exclusively within Ireland) Regulations 2011.

Note that waste operations shall only be carried out at such time as authorisation pursuant to the Waste Management Act 1996, as amended, has been obtained.

**REASON:** In the interests of proper waste management.

18. 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.

19. No Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution 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 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 unwanted noise outside the hours stated above.

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.

20. The developer shall pay to the planning authority a financial contribution of €85,272.65 (eighty five thousand two hundred and seventy two euros and sixty five 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 2016 - 2020, 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 2016 - 2020.

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](mailto:customerservice@water.ie).

21. Pursuant to this decision, no development shall be commenced until security for the provision, satisfactory completion and maintenance, to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), of roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development, has been given by:

(A) Lodgement of a cash deposit of €49,896.00 (forty nine thousand eight hundred and ninety six euros) (amount will be updated at the date of commencement of development in

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Council and applied by South Dublin County Council at its absolute discretion, if roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), or

(B) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of €58,419.00 (fifty eight thousand four hundred and nineteen euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development.

**REASON:** To ensure that a ready sanction may be available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

Note 1: The developer is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

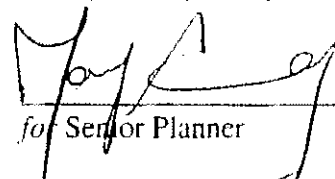
Note 2: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement. In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

Note 3: To protect the amenities of the area, 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 4: The developer is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. Please log onto [www.bcb.ie](http://www.bcb.ie) and click on BCMS link.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1: Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.



for Senior Planner

04-Aug-2017