

Comhairle Chontae Atha Cliath Theas

PR/0686/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0051 **Application Date:** 15-Feb-2022
Submission Type: Additional **Registration Date:** 05-May-2022
Information

Correspondence Name and Address: Elaine Gibson Rowan Engineering Unit 14,
Scurlockstown Business Park, Trim, Co. Meath

Proposed Development: Land recontouring/infilling works on c 16,000sq.m of a folio size of c 2.4 ha (allowing buffers); the volume of material to be placed on the site is c 35,000sq.m with an average fill level of c 3.5m above existing - the material is clean, inert soil and stone from the Saggart Water Reservoir construction site located directly adjacent to the north of the proposed infill site; a small section of hedgerow (6m wide) will be required to be removed between Saggart Water Reservoir construction site and the proposed infill site to allow access for lorries and infill equipment onto the proposed infill site.

Location: Saggart, Slade, Dublin 24,

Applicant Name: Coffey Construction Ltd.

Application Type: Permission

(SW)

Description of Site and Surroundings

Site Description

The application site is located to the south of Saggart, close to the junction of Castle Road and Slade Road. The site currently consists of a green field and is located to the south of the water reservoir. The general character of the area is rural in nature but there is a mixture of commercial, agricultural and residential properties located in the area.

Site Area

Stated as 2.4 Ha.

Proposal

The proposal consists of the following:

- Land recontouring/infilling works on c 16,000sq.m of a folio size of c 2.4 ha (allowing buffers);
- the volume of material to be placed on the site is c 35,000sq.m with an average fill level of c 3.5m above existing - the material is clean, inert soil and stone from the Saggart

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Water Reservoir construction site located directly adjacent to the north of the proposed infill site;

- a small section of hedgerow (6m wide) will be required to be removed between Saggart Water Reservoir construction site and the proposed infill site to allow access for lorries and infill equipment onto the proposed infill site.

Zoning

The application site is subject to zoning objective – ‘RU’ - To protect and improve rural amenity and to provide for the development of agriculture.

Consultations

Roads – Request additional information.

Water Services – No objections, subject to conditions.

Parks - Request additional information.

Heritage Officer – No report received at time of writing.

Architectural Conservation Officer - No report received at time of writing.

EHO - No report received at time of writing.

TII - No report received at time of writing.

Irish Water - No objections, subject to conditions.

Inland Fisheries Water – No report received at time of writing.

Department of Housing, Local Government & Heritage - Request additional information.

Screening for Strategic Environmental Assessment:

Indicates overlap with the following layers:

- Rural 2016
- SFRA A 2016
- SFRA B 2016

Submissions/Observations/Representations

Relevant Planning History

Application site

SD21A/0159

Land recontouring/infilling works on c.16,000sq.m. of a folio size of c.2.4ha (allowing buffers); volume of material to be placed on site is c.35,000m³ with an average fill level of c.3.5m above existing. **Permission Refused**

Reason 1:

The applicant has failed to provide adequate clarification and assurance as to the stability of the steeper slopes on the edge of the proposed infill area, which may interact with the Camac River and the flood plain of that river to the south-west. The applicant has failed to satisfactorily show, either by additional commentary from their geotechnical consultant, or by specifying the gradient of the slopes at the edge of the infill area, that the infill proposal would be safe and

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would not be subject to possible sliding during heavy rain events. The applicant has therefore failed to show that the proposed development would not risk serious danger to human health or the environment, or risk serious water pollution or pollution associated with waste disposal. Overall, a grant of permission would therefore be prejudicial to public health and the contrary to the proper planning and sustainable development of the area.

Reason 2:

The proposed removal of hedgerows to the north of the site is not described in the planning notices and would contravene condition 2 of reg. ref. SD18A/0180 unless covered by a new planning permission, or a new agreement under condition 2 of SD18A/0180.

ED21/0026

A new water reservoir is being constructed at Saggart Waterworks (Fairgreen, Saggart ED, Saggart, Co. Dublin, D22 W1HD) as granted under Planning approval SD18A/018. Coffey seek to infill a boundary field with excavation materials which will be produced as an integral by-product in the construction process. Rowan seek to confirm that this would be planning exempt under Sch 2 Planning and Development act 2001 – 2019. **Declared not exempt.**

ED10/0011

Land Reclamation at Slade, Saggart **declared not exempt.**

Adjacent sites:

SD18A/0180

Permission granted for (1) Provision of a new 100,000m³ covered reservoir approximately 31,520sq.m with height above ground up to 6.7m approximately without hand railing on the roof (up to 7.9m approximately with hand railing). (2) Provision of an adjoining inlet valve house approximately 1560sq.m with height above ground up to 9.0m approximately without hand railing (approximately 10.2m with hand railing). (3) Provision of an adjoining outlet valve house approximately 575sq.m with height above ground up to 9.0m approximately without hand railing (approximately 10.2m with hand railing). (4) Provision of a new building (OCSE building) housing an ESB substation, chlorination plant and associated equipment, de-chlorination plant, a backup power generator, controls and welfare facilities; approximately 25m by 17m in plan and approximately 9.6m high to the apex. (5) 2 bunded silo tanks with overall height of approximately 5.9m above ground level adjacent to the new OSEC building surrounded by a security wall. (6) Demolition of the existing buried reservoirs and redundant above ground buildings/structures. (7) New site entrance from Castle Road. (8) Landscaping and fencing works. The proposed development includes all associated site development works, hardstanding areas, provision of drainage collection systems with hydrocarbon interceptor and attenuation systems and provision of a temporary construction compound area. All necessary ancillary pipework, mechanical and electrical services, plant, instrumentation, automation and controls and equipment. All of the above is proposed on a site of approximately 13.5 hectares.

Permission Granted

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Pre-Planning Consultation

None recorded for this development.

Relevant Policy in South Dublin County Development Plan 2016 – 2022

Section 4 Economic Development & Tourism

Policy ET9 Rural Economy

Section 7 Infrastructure & Environmental Quality

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

Section 7.5.1 Waste and Resource Policy and Legislation

Policy IE5 Waste Management

Section 8 Green Infrastructure

Policy G1 Overarching

Policy G2 Green Infrastructure Network

Policy G3 Watercourse Network

Section 9 Heritage, Conservation & Landscapes

Policy HCL1 Overarching

Policy HCL2 Archaeological Heritage

Policy HCL7 Landscapes

Policy HCL12 Natura 2000 Sites

Policy HCL15 Non-Designated Areas

Section 11 Implementation

Section 11.1.1 Land Use Zoning Tables

Section 11.4.5 Traffic and Transport Assessments

Section 11.5.1 Archaeological Heritage

Section 11.5.5 Landscape

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

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Section 11.6.1 (vi) Water Services
Section 11.6.3 Environmental Hazard Management
Section 11.6.3 (i) Air Quality
Section 11.6.3 (ii) Noise
Section 11.6.3 (iii) Lighting
Section 11.6.5 Waste Management

Section 11.8.1 Environmental Impact Assessment
Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Assessment

The main issues for assessment are the following:

- Zoning and Council Policy
- Previous Reasons for Refusal
- Residential Amenity
- Parking and Access
- Services, Drainage and the Environment
- Landscaping and Visual Impact
- Ecology and Heritage
- Environmental Impact Assessment
- Appropriate Assessment

Zoning and Council Policy

The application site is subject to zoning objective – ‘RU’ - To protect and improve rural amenity and to provide for the development of agriculture. A long-term road proposal is indicated as being located to the north of the site on the CDP index map.

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The proposal is to remove soil from a site that has been granted permission for a water reservoir that is currently under construction and as such the soil is a by-product of excavation to facilitate a development that was deemed to fall under 'Public Services' in application SD18A/0180 rather than a Public Service itself. It is therefore considered that the soil proposed to be moved to the application site could not be considered under the definition of 'Public Services'. There is no definition of excavated soil or anything similar in Schedule 5 of the CDP and the proposal is therefore considered to fall under 'Other uses' as per section 11.1.1 (iv) of the CDP. The CDP states that uses that fall under this category will be considered on a case-by-case basis in relation to conformity with the relevant policies, objectives and standards contained within the Plan, particularly in relation to the zoning objective of the subject site and its impact on the development of the County at a strategic and local level.

Under SD21A/0159, the applicant was requested to clarify the following:

Having regard to the nature of the proposal and the RU zoning objective of the application site, which seeks to 'protect and improve rural amenity and to provide for the development of agriculture', the applicant is requested to submit the following information:

- (a) Clarification on whether stone is also proposed to be deposited at the site as well as soil as there is reference within some of the supporting documents to stone but not within the description of development. This should include the quantity of stone proposed to be deposited.*
- (b) What impact the proposal would have on the sites ability to support agriculture in the future and further justification for the proposal given the RU zoning objective.*
- (c) Details of advice that the applicant has received from statutory bodies associated with agriculture on the suitability of the proposal to support agriculture following the proposed deposit of materials.*

In response to this, the applicant stated:

- (a) The material is predominantly soil with some naturally occurring stones. The material consists of slightly sandy, slightly gravelly, clays. Bore hole testing results are provided.
- (a) The subject field is described as being quite wet in nature and having limited agricultural use. The applicant states that increased soil thickness would improve the land's capacity for agricultural use.
- (b) The applicant has not received advice as per item 1(c).

The officer report for SD21A/0159 concluded the responses to (a) and (b) were both adequate and the applicant should obtain advice from a relevant and suitably qualified statutory body or agricultural consultant as to how the site can be improved for agriculture. This should inform the final method and schedule of works and was proposed to be addressed by condition of permission. Given the similarities in the proposals, it is considered the same approach should apply to this application. Details should therefore be sought via **additional information**.

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It is noted that the proposal in this instance is the same as the previous proposal and, as such, the applicant is seeking to address the previous reasons for refusal.

Previous Refusal Reasons

Reason 1:

The applicant has failed to provide adequate clarification and assurance as to the stability of the steeper slopes on the edge of the proposed infill area, which may interact with the Camac River and the flood plain of that river to the south-west. The applicant has failed to satisfactorily show, either by additional commentary from their geotechnical consultant, or by specifying the gradient of the slopes at the edge of the infill area, that the infill proposal would be safe and would not be subject to possible sliding during heavy rain events. The applicant has therefore failed to show that the proposed development would not risk serious danger to human health or the environment, or risk serious water pollution or pollution associated with waste disposal. Overall, a grant of permission would therefore be prejudicial to public health and the contrary to the proper planning and sustainable development of the area.

The applicant has provided the following to address the previous refusal:

- Slope stability check report – this concludes slopes up to 40 degrees are acceptable and the proposed development is 30 degrees
- Long term surcharge loading to top of embankment not to exceed 5kPa.

The applicant has adequately addressed the previous reason for refusal.

Reason 2:

The proposed removal of hedgerows to the north of the site is not described in the planning notices and would contravene condition 2 of reg. ref. SD18A/0180 unless covered by a new planning permission, or a new agreement under condition 2 of SD18A/0180.

The applicant has not included the removal of the hedge in the notices. The applicant has adequately addressed the previous reason for refusal.

Residential Amenity

There were no significant concerns regarding the impact of the previous proposal on residential amenity and that remains the case for the current application.

Subject to suitable conditions in relation to noise and operation, given the distance from the nearest residential properties, it is considered that the proposal would not be materially harmful to residential amenity.

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Parking and Access

The Roads Department has assessed the proposal and provided the following comments:

“The applicant proposed the soil and stone would be transported through an existing linkage between both land parcels using site machinery. Truck movements would be avoided on the local road network.

The main site will be accessed via an entrance along the northern site boundary, which leads to the construction site of the new Saggart Irish Water Reservoir that is under construction.

The applicant has submitted a detail of the site access form the main water reservoir”.

Additional information has been requested.

Services, Drainage and the Environment

Water Services and Irish Water have assessed the proposal and has no objections subject to conditions.

Landscaping and Visual Impact

The Public Realm Section has assessed the proposal and raised significant concerns with the lack of an EIA submitted, the lack of a Construction and Environmental Management Plan, and the lack of information on landscape and visual impact.

The Parks and Public Realm Department has reviewed the application and has recommended additional information regarding landscape plans and mitigation planting.

Ecology and Heritage

The Parks and Public Realm Department has reviewed the application and has recommended conditions regarding ecology.

The department has recommended additional information regarding ecology.

Environmental Impact Assessment

Having regard to the content of the proposal and the thresholds set out in Schedule 5 of the Planning and Development Regulations (as amended), the proposal does not appear to fall under a criterion that requires a mandatory EIA.

Appropriate Assessment

The applicant has provided an Appropriate Assessment Screening Report prepare by Rowan Consulting Engineers. The report has assessed the proposal to identify whether there would be any significant impacts on designated sites and identifies six such sites within a 15km radius of

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the application site. The report concludes that there will be no significant negative effects upon the Natura 2000 sites either individually or in combination with other plans and projects.

Having regard to the Appropriate Assessing Screening Report, together with the nature of the development, and the distance from Natura sites, it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

Conclusion

It is noted that the applicant has submitted information to overcome the previous reasons for refusal, however, there further information is required to address specific matters, such as landscaping and archaeology.

Recommendation

Request additional information.

Additional information requested: 11 April 2022

Additional information received: 5 May 2022

Consultations:

Roads: No objections.

Water Services: No objections, subject to conditions.

Irish Water: No objections, subject to conditions.

Parks: No objections, subject to conditions.

Assessment

Item 1:

The applicant is requested to provide details of advice that they have received from statutory bodies associated with agriculture on the suitability of the proposal to support agriculture following the proposed deposit of materials.

Applicant's response:

The applicant has not received advice from statutory bodies associated with agriculture on the suitability of the proposal to support agriculture following the proposed deposit of materials.

The objective of moving soils into the site is to increase the sites agricultural uses. As the field is quite wet and undulating in nature it currently has limited agricultural use. Increasing soil thickness and levelling contours would improve the lands capacity for agricultural use.

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Assessment:

The applicant has not addressed the additional information request. A condition is recommended in event of grant that the land is seeded, to ensure the application site is suitable for agriculture use.

Item 2:

The applicant is requested to submit:

- (1) a detailed Traffic Assessment report on the traffic generated from the proposed and current development on all local road networks which facilitate vehicular traffic associated with the proposed and current permitted development and background traffic at these locations.
- (2) details associated with temporary roads at the proposed development, showing location of site compounds/welfare facilities and pedestrian routes.

Applicant's response:

Traffic for the proposal will not enter the local road networks as material will be transported from the source site to the destination site through a break in the hedgerow.

Proposed development would not result in any additional traffic on the surrounding roads. A Traffic assessment report is therefore not considered appropriate to complete. The traffic associated with the current construction of the water reservoir development was assessed and granted planning as part of planning application SD18A/0180.

Assessment:

The Roads Department has stated: *"The applicant has stated that no traffic will access the local road network. And has not submitted the requested traffic assessment report. Nor have they submitted details of the temporary roads at the proposed development. If there are no traffic movements outside this development whatsoever and no public roads impacted, then Roads department have no objections"*.

The applicant has addressed the above.

Item 3:

The applicant is requested to provide:

- (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.
- (b) A fully detailed planting plan; 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.

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(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.

Applicant's response:

See drawing J1387-LH-004

Assessment:

The Parks and Public Realm Department has raised no objections, subject to conditions.

Item 4:

To compensate for the portion of hedgerow to be removed the applicant is requested to provide a scheme of replacement hedgerow planting; the location and extent of the replacement planting shall be agreed with the Public Realm Section. The new proposed planting should aim to match the existing hedgerow as far as possible. Species composition will be as follows:

- 40% Hawthorn (*Crataegus monogyna*)
- 30% Blackthorn (*Prunus spinosa*)
- 10% Field Maple (*Acer campestre*)
- 5% Wild Cherry (*Prunus avium*)
- 5% Hazel (*Corylus avellana*)
- 5% Guelder-rose (*Viburnum opulus*)
- 5% Holly (*Illex Aquifolium*)

In order to ensure the hedge will establish well the planting specification will be as follows:

(i) Trench – 900-1000mm wide by 500-600mm deep dug. Sides and base aerated. Trench half filled with well-rotted Farm Yard Manure and back filled with spoil. Growth rates and survival of whips is dramatically improved where this preparation is undertaken.

(ii) Plants – whips to be used should be 60-80cm tall.

(iii) Planting – The planting shall be carried out between December and March. Whips will be notch planted into the prepared and refilled trench in a double staggered row 30cm between rows and 30cm between plants in the row, to achieve on average a planting rate of five whips per metre. A one metre wide weed free strip will be maintained for at least two years after planting. Once planted the new whips will be protected on both sides with stock fencing topped with two strands of barbed wire to prevent browsing damage by livestock and to prevent damage to whips by other means. The fence will be placed 1 metre from the base of the whips which will allow protection and space to grow. Two years after planting the hedgerow will be inspected and any dead or diseased whips will be replaced to ensure that a continuous hedge is established.

Applicant's response:

The above has been included in the landscape plan. See drawing J1387-LH-004.

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Assessment:

The Parks and Public Realm Department has raised no objections, subject to conditions.

Other Considerations

Development Contributions:

- Land recontouring – 0sq.m (the volume of material to be placed on the site is c 35,000sq.m)

SEA Monitoring Information

- Land recontouring – 0sq.m (the volume of material to be placed on the site is c 35,000sq.m)
- *Land Type*- greenfield
- *Site Area (Ha.)* – 2.4ha

Conclusion

The applicant has submitted information to overcome the previous reasons for refusal. Taking this into consideration, as well as the additional information submitted and consultee submissions, it is considered that, subject to conditions, the proposed development would be in keeping with the sustainable planning and 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.

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

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Further Information received on 5 May 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. Drainage.

(a) All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

(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.

3. Implementation of Landscape Plans

The submitted Landscape Plan (Dwg. No. J1387-LH-004) which includes mitigation hedgerow planting shall be implemented in full, within the first planting season following completion of the development (completion of works on site). In addition:

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

b) 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).

c) 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'.

d) 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.

4. Tree and Hedgerow Protection Measures

No development shall commence on site until adequate steps have been taken in accordance with (Section 8 of BS 5837:2012 Trees in relation to design, demolition and construction) to safeguard all existing trees and hedgerows on the site against damage prior to or during building works, including the erection of fencing. These fences shall be erected to the extent of the crown spread of the trees/hedgerows, or where circumstances

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prevent this, to a minimum radius of 2 metres from the trunk of the tree/centre line of the hedgerow and such protection shall be retained until the development has been completed. No excavations, site works, trenches or channels shall be cut, or pipes or services laid in such a way as to cause damage to the root structure of the trees.

REASON: These details are necessary to safeguard existing trees and hedgerows on the site, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

5. Ecological Impact Assessment

The applicant shall implement all relevant recommendations and mitigation measures proposed within the submitted Ecological Impact Assessment prepared by Noreen McLoughlin (Environmental Consultant). The mitigation measures that shall be implemented include:

Before and During the Infilling Works

- i. All infilling works must be confined to the development site only and should adhere to all standard best practice measures. Work areas should be kept to the minimum area required to carry out the proposed works area and should be clearly marked out in advance of the proposed works. These measures must be undertaken from initial site works until the completion of all works on site.
- ii. The portion of hedgerow that is to be removed along the northern site boundary must be done outside the bird nesting season (March-September). No mature trees must be removed to facilitate this entrance.
- iii. The plans for the infilling development allowed for a 10m unfilled buffer zone along the perimeter of the site, which includes all hedgerows, treelines and the riparian zone of the River Camac. It is vital that this 10m buffer is adhered to for the protection of birds, mammals and water quality. Prior to the commencement of works on the site, this buffer zone will be fenced off with Saturday fencing, which ideally should be mammal proof. There must be no storage of machinery, soil or other material within this buffer zone. All existing vegetation in this buffer zone should be maintained.
- iv. As per the plans submitted and in accordance with the Construction and Environment Management Plan (CEMP). A silt barrier will be installed at the edge of the 10m buffer zone along the Camac River and the drain that occurs along the eastern site boundary. This silt fence must be sturdy and inspected regularly for weaknesses and deficiencies.
- v. The silt fence proposed will be a permeable geotextile barrier installed vertically on support and entrenched in the ground.
- vi. All chemicals, fuels, oils, greases and hydraulic fluids will be stored outside of this site and away from any watercourse in bunded compounds.
- vii. There will be no re-fueling on site
- viii. All soil material will be visually inspected for signs of potential contamination. Should any contamination be identified, the relevant soils will be stored separately, sampled and disposed of by licensed waste contractor (as required).
- ix. The mammal survey prepared by Brian Keely identified a small number of trees on site

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that have bat potential. These trees must be retained. If it at any stage it is considered necessary to remove these trees, they must be inspected by a bat specialist prior to felling.

x. Any additional mitigation measures outlined in the mammal reports prepared by Brina Keely following the survey work in January/February 2021 must be adhered to in full.

These measures including that the contractor maintains a regular watching brief along all topsoil stored on site for potential establishment of badger setts during the construction phase. In addition, it was also recommended that prior to construction works commencing that an ecologist undertake an otter walkover survey along the Camac

Post Infilling Works

i. Any landscaping at the end of the infilling works should involve the planting of native Irish species that are indigenous to the site. Suitable species would be hawthorn, willow and alder. The characteristics of newly planted hedgerows should mimic those in the surrounding area. Invasive species must not be used. Any landscape plan must be cognizant of the sensitivity of the natural habitats surrounding the site. Herbicides should be avoided during all phases of the construction and operation as these chemicals can have detrimental impacts upon local populations of pollinators.

ii. Bare soil should be seeded as soon as possible with grass seed. This will minimize erosion into the River Camac.

iii. The remaining perimeters of the site should be managed at a low intensity level post infilling. They should not be cleared of vegetation, sprayed with herbicide or re-seeded. This will allow for the protection of mammals and water quality post infilling. Cutting of the grass once a year in late summer will promote biodiversity and the growth of flowering herbaceous plants. This will be of benefit to local pollinating insects.

iv. Any future land spreading of the land post reseeding should only be done in accordance with the measures outlined in S.I. 605 of 2017. Land-spreading should adhere the guidance in this legislation, and it should conform to any nutrient management plan set out for the source farm.

REASON: In the interests of protecting and enhancing the biodiversity of the environment, in accordance with policies IE1 Objective 5, IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL1 Objective 1, HCL1 Objective 2, HCL1 Objective 3, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

6. Construction and Environmental Management Plan

The applicant shall ensure that the submitted Construction and Environmental Management Plan (CEMP) prepared by Rowan Engineering Consultants (Rowan) LTD. is implemented and adhered to in full. The CEMP covers the activities relating to the proposed infill works and its objective and purpose is to avoid adverse impacts caused by proposed development works.

Mitigation Measures to be implemented on site during the construction phase shall include:

(i) All site development works shall Dheere to best practice.

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(ii) The work areas must be kept to a minimum area required to carry out the proposed works and the area should be clearly marked out and cordoned off in advance of work commencement.

(iii) Prior to the commencement of the infill of the site, the site manager and the contractor should be aware of the ecological sensitivity of the site, both in terms of the protection of surface water and groundwater.

(iv) All site works must follow those specified in the Construction Management Plan

(v) Efficient construction practices and sequences shall be employed on site, and this will minimize soil erosion and potential pollution of local vegetation shall be avoided. Works within the site shall be avoided during periods of heavy rainfall.

(vi) In order to protect water quality in the River Camac, all site preparation and construction works shall conform to all guidelines within the document inland Fisheries Habitats during Construction and Development Works and River Sites (www.fisheriesireland.ie) and the updated guidelines entitled Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters (2016). Guidelines in the CIRIA Construction industry Research and Information Association) Publications including C532 – Control of Water Pollution from Construction, Guidance for Consultants and Contractors should also be followed.

(vii) A buffer zone between construction works and the river shall be maintained at all phases of construction and operation. There must be no deposition of soil within this buffer strip.

(viii) Hydrocarbon/Fluid Management measures shall include:

- a. Fuels, oils, greases and hydraulic fluids will not be stored onsite
- b. No refueling or lubrication of equipment shall take place

REASON: To ensure the protection of the natural Heritage of the site including Water Features in accordance with policies, in accordance with policies IE1 Objective 5, IE7 Objective 5, G2 Objective, G3 Objective 2, G4 Objective 2, HCL1 Objective 1, HCL1 Objective 2, HCL1 Objective 3, HCL15 Objective 3, and other policies relating to Biodiversity within the CDP 2016-2022.

7. Landscape and ecological management plan (Also referred to as a Habitat or Biodiversity Management Plan)

No works in connection with the development hereby approved shall commence unless a landscape and ecological management plan (LEMP) has been submitted to the planning authority. The LEMP shall include the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (h) Ongoing monitoring and remedial measures.
- (i) Details of the legal and funding mechanisms by which the long-term implementation of

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the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out how contingencies and remedial action will be identified, agreed and implemented so biodiversity objectives with the submitted Ecological Impact Assessment can be achieved. The development shall be carried out in accordance with the approved LEMP.

REASON: In order to protect and enhance biodiversity in the environment

8. Landscape and Visual Impact Assessment

The applicant shall implement all relevant recommendations and mitigation measures proposed within the submitted Landscape and Visual Impact Assessment prepared by Macroworks. In addition, the applicant shall ensure that the infilled area will be covered with topsoil and seeded to integrate the proposed development with its surroundings.

REASON: To assesses the likely landscape and visual effects of the proposed development on the receiving environment and to identify landscape and visual mitigation measures in accordance with all relevant policies relating to heritage, landscape and visual amenity contained within the CDP 2016-2022.

9. 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.

10. 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

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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.

11. Archaeological Recording.

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.

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

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. SD22A/0051
LOCATION: Saggart, Slade, Dublin 24,



Colm Harte,
Senior 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.

Date: 1/6/22



Eoin Burke, Senior Planner