

South Dublin County Council
Planning Department
County Hall,
Town Centre,
Tallaght,
Dublin 2

02 June 2022



RE: COMPLIANCE SUBMISSION ON GRANT PERMISSION FOR RETENTION

PLANNING REF: SD21A/0149

CONDITION REF: 01-08

DEVELOPMENT: The development consists of:

- (i) Change of use from haulage yard to filling station open to the public,
- (ii) Additional diesel pumps,
- (iii) Palisade fencing,
- (iv) Illuminated and non-illuminated Signage,
- (v) All associated site and development works.

LOCATION: Lands at David Nestor Freight Services, Crag Avenue Business Park, Dublin 22

Dear Sir/Madam,

1.0 INTRODUCTION

Please find enclosed **Compliance Submission** in respect **Condition 01-08** of **Grant Permission for Retention** South Dublin County Council Reg. Ref. **SD21A/0149**, for development on lands at David Nestor Freight Services, Crag Avenue Business Park, Dublin 22.

This submission is made by McArdle Doyle Ltd. on behalf of our client, **EMO Oil Ltd.**

The aim of this letter is to provide a response to satisfy **Conditions 01-08** of **Grant Permission for Retention** which was issued by South Dublin County Council 28.03.22. and to demonstrate that the submission meets the validation requirements stipulated by the 2001 Planning and Development Regulations (as amended) and requirements of South Dublin County Council's Planning Department.

For your convenience, a copy of the following documents are enclosed at Appendix A & B.

- [Grant of Planning Permission SD21A/0149](#)
- [Engineering Report with corresponding Surface Water Calculations](#)

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1.1 Content of Submission

The compliance submission comprises:

- This cover letter which outlines the proposed revisions and rationale for same.
- 2 no. copies McArdle Doyle planning compliance drawings
 - "P1922.COM.C01 Site Location Map"
 - "P1922.COM.C02 Site Layout"
 - "P1922.COM.C03 Drainage Layout"
 - "P1922.COM.C04 Drainage Details"
- 2no. copies of Grant of Planning Permission SD21A/0149 (Appendix A)
- 2 no. copies of Engineering Report with corresponding Surface Water Calculations (Appendix B)

It is noted that drawings P1922.COM.C01 -C03 correspond to the civil planning drawing numbers of the original planning application with the prefix 'COM' inserted in the drawing title to differentiate them as compliance drawings which are exclusively relevant to this report.

It is further noted that drawing P1922.COM.C04 is a new drawing not based on previous planning drawings which provides further information in terms of sections and details of the proposed drainage requirements.

In relation to the content of the Engineering Report attached in Appendix B of this report the following is noted.

- This Engineering Report is the same document submitted as part of the previously issued FI response dated 18/01/22.
- The report is re-issued due to the fact there is no substantial change to the proposed hardstanding site area apart from the proposed turning circle area which is now proposed to be landscaped decreasing the hardstanding area minimally by 45 sq.m. as per new compliance drawing P1922.COM.C02.
- Due to the nature of the site we cannot incorporate any further green landscaped areas hence the addition of the underground attenuation tank & flow control device as per attached drawing package.
- It is noted as per the attached Engineering Report that the proposed Attenuation Tank reduces the run-off of the site from 50 l/s to 10 l/s.

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2.0 PLANNING CONDITIONS 01-08 (SD21A/0149) & RESPONSE

A break down response of each planning condition no. 01-08 from planning reference SD21A/0149 is set out below sections 2.1-2.8.

2.1 Planning Condition 01 & Response

Planning Condition 01 SD21A/0149 states the following;

'Development to be in accordance with submitted plans and details. The development shall be retained 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 19th January 2022, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.'

Response Condition 01:

It is agreed and accepted that the development is to be in accordance with submitted plans particulars and specifications lodged as outlined.

2.2 Planning Condition 02 & Response

Planning Condition 02 SD21A/0149 states the following:

Green Infrastructure and SuDs.

Within 6 months of the final grant of permission, the Applicant shall submit a revised Site Layout Plan for the written agreement of the Planning Authority, which clearly provides for Green Infrastructure/Landscaped area within the marked turning area or as otherwise agreed by the Planning Authority.

- (i) The proposed drainage system shall be developed further in order to sustainably manage surface water through a more natural hydrological regime or SUDS scheme within the development. A SuDS strategy shall be developed for the development which takes account of and maximizes these issues. The detailed SuDS scheme for the proposed development shall be submitted to the Planning Authority within 6 months of the final grant for written agreement.*
- (ii) Within 6 months of agreed compliance on the revised site plan, including additional Green infrastructure and SUDS measures, the revisions shall be fully implemented on site.*

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

Response Condition 02:

In relation to the item of Green Infrastructure, a green landscaped area is now proposed within the marked turning area as per drawing P1922.COM.C02 Site Layout.

A further proposed section detail is provided on drawing P1922.COM.C04 which shows a proposed precast kerb detail at the landscaped turning area location providing separation from the landscaped area to the entrance road pavement.

- (i) Engineering Report with corresponding Surface Water Calculations is provided as part of Appendix B of this report.
- (ii) It is agreed and accepted that within 6 months of agreed compliance the additional green infrastructure and SUDS measures referenced above will be implemented on site.

2.3 Planning Condition 03 & Response

Planning Condition 03 SD21A/0149 states the following:

Water Services and Drainage

- (i) *Within 6 months of the final grant of permission, the Applicant shall submit to the Planning Authority for written agreement a report to show calculations of Surface Water Attenuation for the proposed development and the respective runoff coefficients for the subject site. The calculations shall include for additional SUDs measures proposed and agreed as part of Condition no.2.*
- (ii) *The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.*
- (iii) *There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.*
- (iv) *All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.*
- (v) *All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*
- (vi) *The Applicant shall enter into a water connection agreement with Irish Water.*
- (vii) *The Applicant shall enter into a wastewater connection agreement with Irish Water.*

REASON: In the interests of public health, the proper planning and sustainable development

Response Condition 03:

In relation to Water Services and drainage, the following response is noted,

- (i) As noted in condition 02 response an Engineering Report with corresponding Surface Water Calculations is provided as part of Appendix B of this Report.
- (ii) It is agreed and accepted that water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
- (iii) As shown on Drainage Layout drawing P1922.COM.C03 the existing foul and surface water infrastructure on site are separate systems.
There are no proposed changes to the existing on-site foul system arrangement. The proposed upgrades to the existing surface water system encompasses the installation of an Aquacell Attenuation Tank with associated manholes as well as pipework connections to the existing system as per drawing P1922.COM.C03.
- (iv) All new precast surface water manholes shall have a minimum surround of 150mm Class B concrete as per 'Typical Precast Manhole Type C detail' on drainage drawing P1922.COM.C04
- (v) It is agreed and accepted that this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.
- (vi) The applicant is not required to enter a water connection agreement with Irish Water as there is no proposed change to any existing water infrastructure on this site.
- (vii) The applicant is not required to enter a wastewater connection agreement with Irish Water as there is no proposed change to any existing wastewater infrastructure on this site.

2.4 Planning Condition 04 & Response

Planning Condition 04 SD21A/0149 states the following;

'Signage.

Within 6 months of the final grant date, the Applicant shall submit the following to the Planning Authority and implement fully on site:

- (i) An amended Site Layout Drawing demonstrating the omission of the 2 metal entrance signs, the plastic signage affixed to the fence along the northern boundary and the nonilluminated fence sign (9sq.m) mounted along the public road affixed to the fencing of the David Nestor Freight Services Container Depot along Crag Avenue.*
- (ii) The LCD Panels on the totem signage displaying the fuel prices shall be the only signage permitted to be illuminated on the entire subject site. No other signage on the subject site shall be illuminated. Any proposal to illuminate signage at the subject site, other than the permitted LCD Panels displaying fuel prices, shall be subject to a separate Planning Application.*

REASON: In the interests of the prevention of a proliferation of signage and the creation of visual clutter at the subject site.

Response Condition 04:

The development is to be in accordance with condition 04 noting the following response to items (i) &(ii).

- (i) As per site layout drawing P1922.COM.C02 the following signs are noted as been removed to satisfy this condition.
 - 2 no. metal entrance signs to be removed.
 - 1 no. plastic signage affixed to fence along northern boundary to be removed.
 - 1 No. illuminated fence sign (9 sq.m) mounted along the public road affixed to fencing to be removed.
- (ii) It is agreed and accepted that LCD Panels on the totem signage displaying the fuel prices shall be the only signage permitted to be illuminated on the entire subject site.

2.5 Planning Condition 05 & Response

Planning Condition 05 SD21A/0149 states the following;

'Operational Noise.

- a) Noise due to the normal operation of the proposed development, expressed as LAeq over 15 minutes at the façade of any noise sensitive location, shall not exceed the daytime background level i.e. 0700 - 1900 by more than 10 dB(A) and shall not exceed the background level for evening and night time (currently 19:00 - 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006. Clearly audible and impulsive tones at noise sensitive locations during evening and night as 3 determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be avoided irrespective of the noise level.
- b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any residence, adjoining premises or public place in the vicinity.
- c) All mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as LAeq over 15 minutes at 1 meter from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time (currently 19:00 - 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006.

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, and to uphold then

Response Condition 05:

The development is to be in accordance with condition 05 noting the following response to items (a), (b) & (c).

- a) It is agreed and accepted that noise due to normal operation and noise due to background level shall not exceed the permitted noise levels during the daytime & nighttime hours as described.
- b) It is agreed and accepted that noise levels from the proposed development shall not be so loud as to give reasonable cause for annoyance to a person in any residence, adjoining premises or public place in the vicinity.
- c) It is agreed and accepted that all mechanical plant and ventilation inlets and outlets shall be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level is within permitted limits during the daytime & nighttime hours as described.

2.6 Planning Condition 06 & Response

Planning Condition 06 SD21A/0149 states the following:

'Removal of tanks.

Within 6 months of the final grant date, the 2 large tanks located on top of the wall to the rear of the covered truck fueling bays as indicated in Site Layout (Drawing No. P1922.C02) shall be removed.

REASON: In the interests of health and safety and the prevention of unauthorized development at the subject site.'

Response Condition 06:

As per site layout compliance drawing P1922.COM.C02 the 2 no. large tanks located to the rear of the covered truck fueling bays are noted to be removed. It is accepted that the tanks will be removed within 6 months of the final grant date.

2.7 Planning Condition 07 & Response

Planning Condition 07 SD21A/0149 states the following:

'Operational Management Plan

Within 6 months of the final grant of permission, the applicant, owner or developer shall submit, for the written agreement of the Planning Authority a site specific Operational Management Plan, that shall include:

- (i) Details of the proposed procedure should there be incident on the subject site, such as a fuel spill or a fire;*
- (ii) Details of a formal arrangement with the foreman of David Nestor Freight Services Limited regarding the monitoring of the subject site;*
- (iii) Details of on-site security measures and;*
- (iv) Name and contact details for a site manager to be contacted in the event of an incident or emergency.*

REASON: In the interests of residential amenity, public safety, compliance with Development.'

Response Condition 07:

It is agreed and accepted that the applicant shall submit, for the written agreement of the Planning Authority a site-specific Operational Management Plan encompassing all requested details within 6 months of the final grant permission.

2.8 Planning Condition 08 & Response

Planning Condition 08 SD21A/0149 states the following:

*'Development to be in accordance with submitted plans and details.
The development shall be retained and completed fully in accordance with plans,
particulars and specifications lodged with the application, within XX months of the grant
of permission, save as may be required by other conditions attached hereto.*

REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.'

Response Condition 08:

It is agreed and accepted that the development is to be in accordance with submitted plans and details and shall be completed fully in accordance with plans, particulars and specifications lodged with the application.

3.0 CONCLUSION

We trust the above and enclosed documentation is in order, however, if you require any further clarification of any of the items contained within this Condition 01-08 Compliance Submission please do not hesitate to contact us.

We would appreciate an acknowledgement of our Submission at your convenience.

Yours sincerely,



Ronnie McArdle B Eng, C Eng, MIEI, APEA,
McArdle Doyle

APPENDIX A

Grant Permission for Retention (SD21A/0149)

APPENDIX B

Engineering Report with corresponding Surface Water Calculations