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

Decision Order Number:	0951	Date of Decision:	28-Aug-2017
Register Reference:	SD17A/0121	Date:	31-Jul-2017

Applicant: Capami Ltd.

Development: Residential development consisting of 133 dwellings and a crèche on a site area of 4.64 hectares (11.4ac) located south of Oldcourt Cottages and north of the ESB wires in the townland of Bohernabreena, Oldcourt, Ballycullen. Access to the development will be via an adjoining residential development known as Dodderbrook (permitted under Reg. Ref. SD14A/0180) which is accessed from Oldcourt road. The development is in accordance with the Ballycullen Oldcourt Local Area Plan 2014 (being amended). The proposed development is comprised of: 3 x 4 bed, 2 storey detached houses, 90 x 3 & 4 bed, 2 storey semi-detached houses, 27 x 3 bed, 2 storey terraced houses and 6 x 3 bed duplexes with 3 x 2/3 bed duplex apartments in a 3 storey building and 4 x 2 bed apartments over 2 floors and a 2 storey crèche (423sq.m). The proposed development also includes all associated site development and infrastructural works, surface water with attenuation, piped and wired services, car parking, open spaces and landscaping etc.

Location: Oldcourt Cottages,
Bohernabreena/Oldcourt/Ballycullen, Dublin 24

Floor Area:

Time extension(s) up to and including:

Additional Information
Requested/Received:

08-Jul-2017 /31-Jul-2017

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 2010 - 2016 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. 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 31/7/2017, 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.

2. Prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, the applicant, owner or developer, or any other person with an interest in the land to which the development, as approved, relates shall lodge with the Planning Authority for formal written agreement fully detailed revised plans and sections in respect of the layout of all dwellings to the southwest of the site encompassing the block of dwellings which is bounded by roads 1, 4 and 5 to provide for all Block lengths to be reduced to no more than 80 metres in length so as to be fully in accordance with Objective BF2 of the Ballycullen/ Oldcourt Local Area Plan 2014 (as amended 2017). No retaining walls or difference in ground level in excess of 0.6 metres between any back to back units shall arise from this required revision.

REASON: To ensure full compliance with Objective BF2 of the Ballycullen/Oldcourt Local Area Plan 2014 (as amended 2017) and in the interests of the proper planning and sustainable development of the area.

3. Prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, the applicant, owner or developer, or any other person with an interest in the land to which the development, as approved relates, shall lodge with the Planning Authority for formal written agreement fully detailed revised plans providing for all of the following requirements;
- (i) Omission of unit no.'s 78, 79, 80, 81, 82 and 83 and alteration to road 3 to allow for an increased provision of public open space which would then be of better quality and which would also facilitate increasing the attenuation basin to the north; and,
 - (ii) Removal of footpath located within the linear park; and
 - (iii) Provision for a significant increase in suitable street trees which are not located within private front gardens
 - (iv) A fully detailed site specific landscape plan with full works specification, that fully accords with the specifications and requirements of the Council's Public Realm Section along with the written confirmation from the Council's Public Realm Section of their agreement to the fully detailed landscape plan, and a written commitment to implement the approved development in accordance with the agreed fully detailed landscape plan. The fully detailed landscape plan to be lodged for formal written agreement must include grading, topsoiling, seeding, paths, drainage, boundary treatment, planting and street trees planting. Provision of adequate details in terms of play equipment including photographs is also required. All trees to be retained on site are to be clearly identified and protected by suitable fencing agreed with the Council's Public Realm Section. Only those trees/hedgerows detailed for removal on the Arborists plans, submitted to the Planning Authority shall be removed. All other trees on the site shall be retained and shall be protected from damage for the duration of the works on site, to the satisfaction of the Planning Authority in accordance with BS 5837: 2012. All existing trees/hedgerows to be retained shall be enclosed by stout protective fencing, located at a suitable distance as detailed in BS: 5837 – 2012 – 'Trees in Relation to Design, Demolition and Construction'. This protective fencing shall be erected before any materials are brought onto site and prior to the commencement of any works associated the proposed development. South Dublin County Council shall be notified when protective measures are commencing and when they have been completed. The protective fencing shall be maintained intact and in good order for the duration of the construction works. Any damage caused to the protective fence shall be repaired immediately.
- The proposed location of the site compound, and the exact routes of all water mains, foul and surface water sewers shall be marked out on site, and agreed with South Dublin County Council prior to the commencement of any works on site, so as to minimise damage to trees which could result from excavation works, storage of materials and construction of temporary access roadway.
- All works agreed and required to be carried out in accordance with the fully detailed landscape plan to be in accordance with South Dublin County Council's Guidelines for Open Space Development & Taking in Charge available from the Council's Public Realm Section.
- The agreed scheme shall be commenced in the first planting season after the commencement of development and fully implemented before the final dwelling constructed is occupied. .

REASON: In the interests of amenity, compliance with Development Plan policy, compliance with the Ballycullen/Oldcourt Local Area Plan 2014 (as amended 2017) and the proper planning and sustainable development of the area.

4. 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; and 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 SDCC Parks and Landscape Services, 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.

5. The Project Arboriculturist shall be retained by the developer for the duration of the project, to pay periodic site visits as appropriate to ensure that construction works will not compromise the agreed and approved tree protection, to ensure general strict adherence of the developer with all recommendations laid out in the Arborists report and to offer any further advice to the developer on the matter of trees as may be required from time to time.

REASON: In the interest of the tree protection, retention and preservation, biodiversity and amenity.

6. There shall be no retaining walls provided on any part of the development as approved and cut-and-fill proposed across the entire site shall be kept to a minimum. In this regard, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall lodge with the Planning Authority for formal written agreement plans and sections fully detailing cut-and-fill proposed across the entire site of the development as approved and clearly demonstrating how all levels are being balanced between minimising earthworks, providing a development plateau protection against flooding, and the maintenance of gravity foul and storm water discharge from the site. Further in this regard, the difference between the existing and proposed levels across the entire site shall not exceed 1m.

REASON: To ensure full compliance with Objectives GI18, GI19 and GI20 of the Ballycullen/Oldcourt Local Area Plan 2014 (as amended 2017) requiring that buildings, streets and spaces should respond and flow with the area's contours and natural drainage features and Development Plan H16 Objective 1 that seeks to ensure that all developments including buildings, streets and spaces are designed and arranged to respond to and complement the site's natural contours and natural drainage features in accordance with the recommendations of the Urban Design Manual - A Best Practice Guide (2009) and in the interests of the proper planning and sustainable development of

the area.

7. Prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, the applicant, owner or developer, or any other person with an interest in the land to which the development, as approved relates, shall lodge with the Planning Authority for formal written agreement;
 - (i) a detailed masterplan drawing showing and clearly demonstrating how surface water attenuation from all adjacent sites such as Oldcourt Road Planning Ref: SD17A/0041, this development as approved and development proposals for any other land under the control of the applicant will be consistent with the requirements of 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>
and
 - (ii) Detailed revised plans providing for the following amendments to the drainage proposals submitted,
 - A. The attenuation pond in catchment area 1 shall be increased in size by 30%; and
 - B. The attenuation pond for catchment area 2 shall be increased in size by 10%; and
 - C. The attenuation pond in catchment area 3 shall be increased in size by 25%; and
 - (iii) Written confirmation that all floor levels of development as approved shall be a minimum of 500mm above the highest know flood level for the site.
REASON: To ensure full compliance with the Objectives of the Ballycullen/ Oldcourt Local Area Plan 2014 (As amended 2017) the South Dublin County Council Development Plan 2016 - 2022 regarding sustainable urban drainage, and in the interests of the proper planning and sustainable development of the area.
8. There shall be no more than 600mm difference in ground level between any back to back units throughout the entire site.
REASON: To ensure full compliance with Objectives GI18, GI19 and GI20 of the Ballycullen/Oldcourt Local Area Plan 2014 (As amended 2017) requiring that buildings, streets and spaces should respond and flow with the area's contours and natural drainage features as proposed in accordance with the Additional Information received and in the interests of the proper planning and sustainable development of the area.
9. Prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall lodge with the Planning Authority a fully detailed plan providing for all of the following:
 - (i) Elevations of dwellings as approved related to the sections submitted as additional information (drawing no.'s 217, 217a and 260) to confirm the Local Area Plan requirement for a step down in roof profile which respects the natural contours of the site; and,
 - (ii) The location and elevations of all post and panel walls that are to be provided between the properties in accordance with the Additional Information received.
REASON: To comply with the requirements of the Ballycullen/Oldcourt Local Area Plan 2014 (as amended 2017) and in the interests of the proper planning and sustainable

development of the area.

10. Prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997 the Applicant is to lodge with the Planning Authority the following requirements agreed with the South Dublin County Council (SDCC) Area Engineer, Deansrath Depot;

(a) The proposed watermain layout for the entire development compliant with Irish Water's Standard Details and Code of Practice requirements available at <https://www.water.ie/connections/>.

(b) Details of proposed booster pump/balancing tank system for 3-storey units to ensure the proposed development does not adversely impact on existing public mains pressure or implementation of network pressure management system.

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

11. Prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall submit the as-constructed watermain layout of the adjacent Phase 1, Dodderbrook (SD14A/0180) development to which this application is proposed to be connected to Irish Water gisupdates@water.ie in Standard Autodesk AutoCAD (dwg.dxf) compatible file format.

All connections to public watermains shall be by South Dublin County Council, on behalf of Irish Water, at the Applicants prior expense.

All works shall comply with Irish Water Standards.

The Developer shall ensure that there is complete separation of foul and surface water systems within the site of the proposed development, both in terms of installation and use.

All pre cast foul manholes shall have a minimum thickness surround of 150mm Concrete Class B.

All works are to comply with Irish Water Standard details available at (<http://www.water.ie/help-centre/connections/Wastewater-infrastructure-standard-details>) Standard Details for Wastewater Infrastructure and Building Regulations 2010 Technical Guidance Document H.

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

12. Each house shall be used as a single dwelling unit and shall not be sub-divided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

REASON: To prevent unauthorised development.

13. 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 works on site the applicant, owner or developer shall have 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 2013 or the latest NSAI (National Standards Authority of Ireland) versions approved, 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 details of the overall height of all proposed equipment shall be lodged with the Public Lighting Scheme. The public lighting scheme shall be contained within the public realm of the development as approved, entirely in areas to be offered for taking in charge or subject to the responsibility in perpetuity of an approved management company.

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 cowed 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 / commercial unit shall be occupied on any street until the public lighting provided for that street 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.

14. 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.

15. No development shall take place under this permission until the applicant, developer, or owner has lodged with the Planning Authority:

(i) A street naming 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.

Following receipt of an acknowledgement of the agreed scheme, the agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a manner to be clearly legible, and in accordance with Council requirements.

The development name should;

1. Avoid any duplication within the county of existing names, and
2. Reflect the local and historical context of the approved development, and
3. Comply with:
 - (a) Development Plan policy, and
 - (b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and
 - (c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and
 - (d) Preferably make exclusive use of the Irish language.

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.

16. The applicant, developer or owner shall construct and maintain to the Council's standard for taking in charge all the roads, including footpaths, verges, public lighting, open space, surface water drains, attenuation infrastructure, manholes etc., forming part of the approved development including where applicable any wayleaves in favour of SDCC or a management company that will be required.

REASON: In the interest of the proper planning and sustainable development of the area and compliance with South Dublin County Council's Development Plan.

17. No development shall take place under this permission until:
 - (i) A detailed phasing programme for the approved development that fully accords with the requirements of the Planning Authority has been lodged with the Planning Authority and
 - (ii) This has been acknowledged as acceptable by the Planning Authority.Such a phasing programme shall demonstrate,
 - (a) full compliance with Development Plan policies and objectives in this regard and,
 - (b) the provisions of Ballycullen/Oldcourt Local Area Plan 2014 (As amended 2017).The applicant, owner or developer is advised to consult with the Planning Authority in advance of lodging the required programme.

REASON: To provide for the orderly and sustainable development of the site and compliance with South Dublin County Council's Development Plan.

18. That the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997;
 - (i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan 2016-2022, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and
 - (ii) when the agreement with the Housing Authority for compliance with the Part V of

the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.
REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2016-2022.

19. That the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997 lodge with the Planning Authority;
- (i) A detailed plan providing for the infrastructure and space for the collection of all domestic waste arising, including all recyclable waste from the approved development that fully accords with the Council's policy, standards and requirements, that will be maintained in good condition in perpetuity and,
 - (ii) Confirmation from the Council's Roads and Waste Management sections that the plan required above is in accordance with all Council requirements and,
 - (iii) The receipt for all these requirements has been acknowledged in writing as an acceptable lodgement from the applicant, owner or developer by the Planning Authority.
- The applicant, developer or owner is advised to consult with the Council's Roads and Waste Management sections in advance of lodging the required plan.
REASON: In order to ensure that the site is adequately and safely serviced and to uphold the Council's policies set out in the South Dublin County Council Development Plan.
20. 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.
21. To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution levels 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 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.
The applicant or developer shall also endeavour to engage in local consultation in respect

of any noise sensitive location within 25 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.

22. Construction traffic arising from the site shall be managed in accordance with a method statement for the management of the construction phase in accordance with an agreed site specific Construction Traffic Management Plan that fully accords with requirements of the Council's Traffic Section.

In this regard within 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 works on site the applicant, owner or developer shall lodge with the Planning Authority;

- (i) A site specific Construction Traffic Management Plan that accords with the Council's Traffic Section requirements, and;
- (ii) The written confirmation of the Council's Traffic Section of their agreement to the Construction Traffic Management Plan, and;
- (iii) A written commitment from the developer to carry out the development in accordance with this Construction Traffic Management Plan, and;
- (iv) These requirements have been acknowledged in writing as acceptable by the Planning Authority.

The required Construction Traffic Management Plan shall include:-

- (i) Details of the agreed number, location and use of suitable facilities for vehicle cleansing and wheel washing provided on site prior to commencing of construction and a written commitment that such facilities will be maintained in a satisfactorily operational condition during all periods of construction.
- (ii) Location of all on-site car parking facilities provided for site workers during the course of all construction activity.

Provision for dust suppression measures in periods of extended dry weather
Provision for the flexible use of a road sweeper if an acute situation on the adjoining public road requires it.

- (iii) Location of materials compound and site huts.
- (iv) Details of security fencing.
- (v) Name and contact details for site manager.
- (vi) Methodology for the use and control of spoil on site during construction.
- (vii) Details of access arrangements/routes to be used by construction traffic, to include details of arrangements to manage potential conflicts with site specific issues i.e. schools, playing pitches etc.

(viii) Details of measures to protect watercourses on or adjoining the site from the spillage or deposit of clay, rubble or other debris,

The plan should also be informed by any Project Construction Waste and Demolition Management Plan required to be prepared and agreed that addresses intended construction waste management and any traffic issues that may arise from such a plan.

REASON: In the interests of residential amenity, public safety, compliance with Development Plan policy and the proper planning and sustainable development of the area.

23. The open space shall be fenced off during construction work in accordance with the written requirements of the Council's Public Realm Section to be determined and obtained by the applicant or developer before any development commences, and open space areas shall not be used for the purpose of storage of plant, materials soil or spoil without the written consent of the Planning Authority

REASON: In the interests of amenity, compliance with Development Plan Policy, and the proper planning and sustainable development of the area.

24. No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority an agreed site specific plan making provision as set out below for the prevention of spillage or deposit of clay, rubble or other debris on adjoining public roads during the course of any construction works that fully complies with all of the requirements of the Council's Roads Maintenance, Traffic Management, and Waste Enforcement Sections as appropriate, along with written confirmation of the agreement of the Council's Roads Maintenance, Traffic Management, and Waste Enforcement Sections to the plan. The agreed plan shall provide for all of the following;

(a) The agreed number, location, type and use of suitable facilities for vehicle cleansing and wheel washing provided on site to contain all clay, rubble or other debris within the site prior to commencing of construction and a written commitment that such facilities will be maintained in a satisfactorily operational condition during all periods of construction.

(b) Location of all on-site car parking facilities provided for site workers during the course of all construction activity.

(c) Provision for dust suppression measures in periods of extended dry weather

(d) Provision for the flexible use of a road sweeper if an acute situation on the adjoining public road requires it.

REASON: In the interest of protecting the amenities of the area and in the interest of public safety and the sustainable maintenance of adjoining roads and footpaths.

25. Prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997, the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall lodge with the Planning Authority, a plan indicating any part of the approved development intended to be offered for Taking-in-Charge along with written commitment that all such areas shall be fully consistent with the Council's Taking-in-Charge policy and requirements. The plan to be lodged shall make provision for all of the following;

- (a) All drainage and service ducts including accessories are fully located in areas to be offered for Taking-in-Charge,
- (b) Where applicable any wayleaves in favour of SDCC that will be fully executed prior to being offered for Taking-in-Charge.
- (c) Site features to be protected and retained within any part of the approved development intended to be offered for Taking-in-Charge.
- (d) Any external common areas of the development that it is intended to be retained in private ownership.

REASON: In the interest of the proper planning and sustainable development of the area and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

26. A maximum of two weeks from the date of the Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of works on site, a Bond or bank draft to the value of €100,000 shall be lodged with the Planning Authority as a security for the protection of the existing hedgerows as per the Council's required Hedgerow Protection Policy during the course of the development works.

This bond will be released twelve months after the completion of all site works once it has been ascertained that the hedgerows specified for retention have been preserved in their prior condition and have suffered no significant damage and the developer has complied with the requirements of the Planning Authority in relation to hedgerow protection.

REASON: In the interest of the proper planning and sustainable development of the area, hedgerow protection, and the maintenance of the county's green infrastructure.

27. All construction waste arising from the development of the site shall be managed in accordance with all relevant statutory provisions and an agreed site specific Construction Waste Management Plan. All such waste 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.

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 works on site the applicant, owner or developer shall lodge with the Planning Authority;

- (i) A site specific Project Construction Waste and Demolition Management Plan that accords with the requirements both of the Council's Waste Management Section and the Council's Waste Enforcement and Licensing Section;
- (ii) The written confirmation of the Council's Waste Management Section of their agreement to the Project Construction Waste and Demolition Management Plan, and;
- (iii) A written commitment to carry out the development fully in accordance with the agreed Project Construction Waste and Demolition Management Plan and;
- (iv) These requirements have been acknowledged in writing by the Planning Authority as an acceptable lodgement under this condition.

All construction and demolition waste shall be managed in accordance with this plan which shall be prepared in accordance with the 'Best Practice Guidelines on the

Preparation of Waste Management Plans for Construction and Demolition Projects', published by the Department of the Environment, Heritage and Local Government in 2006 and the provision of the Waste Management Plan for the Dublin Region. The plan shall include details to the satisfaction of the Council's Waste Management Section and the Council's Waste Enforcement and Licensing Section for all waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Eastern-Midland Region.

The plan should also be informed by any Construction Traffic Management Plan required to be prepared and agreed that addresses intended construction practice for the development, including hours of working, construction traffic access route and noise management measures and details of measures to protect watercourses on or adjoining the site from the spillage or deposit of clay, rubble, waste or other debris.

In addition, copies of waste disposal/recovery records, including waste collector dockets/invoices and weighbridge dockets, shall be maintained on site during construction activity and made available, at all reasonable times, for inspection by Authorised Persons as appointed under the Waste Management Act 1996, as amended. 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. 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 public safety, compliance with Development Plan Policy and sustainable waste management.

28. The developer shall pay to the planning authority a financial contribution of €1,352,111.38 (one million three hundred and fifty two thousand one hundred and eleven euros and thirty eight 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.

29. 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 €524,429.00 (five hundred and twenty four thousand four hundred and twenty nine euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County 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 €609,943.00 (six hundred and nine thousand nine hundred and forty three 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.

NOTES

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

Note 2: 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.

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

28-Aug-2017