

J. Taylor Architect Ltd.
39, North Avenue
Mount Merrion
Co. Dublin

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

Decision Order Number:	0896	Date of Decision:	18-Jul-2022
Register Reference:	SD21A/0329	Date:	21-Jun-2022

Applicant: P & S Machinery

Development: Development comprising 189sq.m of warehouse space and 89sq.m of ancillary office space.

Location: Site at Bluebell Avenue, Bluebell Industrial Estate, Dublin 12

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 03-Feb-2022, 12-May-2022

Clarification of Additional Information Requested/Received: 19-Apr-2022, 21-Jun-2022

DECISION TO: Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, for the reasons set out in the First Schedule hereto, to **GRANT PERMISSION** for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the condition(s) set out hereunder is thereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons:

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application as amended by Further Information received on 19/04/2022 and Clarification of Further Information received on 21/06/2022, 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. Roads Requirements.
 - (a). The new vehicular access shall not exceed a width of 4.0 meters.
 - (b). The new entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.
 - (c). Any gates shall open inwards and not outwards over the public domain.
 - (d). Installation of automated gates must be in accordance with the 'HSA Guidelines on the Safety of Powered Gates'.
 - (e). Prior to commencement of development, the applicant shall submit the Construction Traffic Management Plan.
 - (f). Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP).
 - (g). The proposed development shall make provision for one mobility impaired parking space.REASON: In the interest of proper planning and sustainable development.
3. Drainage - Irish Water.
 - (i). Prior to the commencement of development the applicant or developer shall enter into water connection agreement(s) with Irish Water.
 - (ii). Prior to the commencement of development the applicant or developer shall enter into waste water connection agreement(s) with Irish Water.
 - (iii). Prior to commencement of development submit a drawing in plan and crosssectional view showing design details of proposed soakaway as per BRE Digest 365 Standards. Proposed soakaway shall have an overflow connection to existing 300mm surface water sewer West of Site which shall also be shown on revised drawing.
 - (iv). Prior to commencement of development submit a drawing showing what SuDS (Sustainable Drainage Systems) are proposed in the development. Examples of SuDS include green roofs, permeable paving, tree pits, tree pits planter boxes, green area detention basins, swales and other such SuDS. The drawing shall show the extent and size and type of SuDS proposed for the development.
 - (v). The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
 - (vi). All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.
 - (vii). The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (viii). There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

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.

4. Requirments for Bats.

(i). All proposed mitigation and enhancement measures as described in the bat report shall be implemented in full.

(ii). The installation of the bat boxes shall be overseen by an experienced bat expert. Within a year of completion of construction, a follow-on bat survey shall be undertaken by a bat expert to assess any potential impact of lighting and to assess any uptake of the bat boxes by local bat populations. This monitoring report shall be forwarded to the Planning Authority.

REASON: to protect any bats on site.

5. Landscape Plan

Prior to the commencement of Development, a fully detailed landscape plan shall be submitted and agreed with the Public Realm Section, with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include hard and soft landscaping including levels, sections and elevations in addition the applicant is requested to submit a fully detailed Planting Plan for boundary planting/hedgerows for the development. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion of the development, whichever is the sooner. Details shall include:

(i). a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;

(ii). location, type and materials to be used for hard landscaping including specifications, where applicable for:

a) permeable paving

b) tree pit design

c) underground modular systems

d) Sustainable urban drainage integration

(iii). a schedule detailing sizes and numbers/densities of all proposed trees/plants;

(iv). specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and

(v). types and dimensions of all boundary treatments

All soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced.

REASON: To ensure that the development achieves a high standard of design, layout and amenity and makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm in accordance with relevant policies in the CPD 2016-2022.

6. Environmental Health issues.

(i). Construction Phase

Noise

To control, limit and prevent the generation of Environmental Noise Pollution from

occurring the Environmental Health Department of South Dublin County Council, hereby informs you that :

The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours

- Before 07.00 hours on weekdays, Monday to Friday
- Before 09.00 hours on Saturdays.
- After 19.00 hours on weekdays, Monday to Friday.
- After 13.00 hours on Saturdays.
- Not permitted at any time on Sundays, Bank Holidays or Public Holidays.

(ii). Air Quality

During the construction/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.

REASON: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinity. 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.

7. Ecological Protection and Enhancement

(i). Prior to the commencement of any permitted development, the developer shall engage the services an independent, qualified ecologist, for the entire period of construction activity.

(ii). The applicant shall inform the planning authority in writing of the appointment and name of the consultant, prior to commencement of development. The consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all of the recommendations in the OPENFIELD Ecological Services Ecological Impact Assessment Report dated June 2022 and Wildlife Surveys Ireland Bat Report dated 7th June 2022.

REASON: In the interests of visual amenity and integrating the development into the landscape and in accordance with relevant policies and objectives contained within the CDP 2016-2022.

8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €27,455.28 (twenty seven thousand four hundred and fifty five euros and twenty 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 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final

grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.


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** 20-Jul-2022

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

(A) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
 2. The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made.
where the application relates to unauthorised development €4,500.00 or €9,000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made.
other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b) €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal €110.00
 - (f) Appeal following a grant of leave to appeal €110.00
 - (g) Referral..... €220.00
 - (h) Reduced fee (payable by specified bodies)..... €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at

Telephone 01-858 8100