

**Thornton O'Connor Town Planning  
1, Kilmacud Road Upper  
Dundrum  
Dublin 14**

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

<b>Decision Order Number:</b>	<b>1221</b>	<b>Date of Decision:</b>	28-Sep-2022
<b>Register Reference:</b>	SDZ22A/0006	<b>Date:</b>	01-Sep-2022

**Applicant:**

Quintain Developments Ireland Limited

**Development:**

Construction of 352 residential units (terraced, semi-detached and detached) comprising 253 two storey houses (15 two bed units and 238 three bed units ranging in size from c. 86sq.m to c. 118sq.m) and 99 three storey houses (18 three bed units and 81 four bed units and ranging in size from c. 147sq.m to c. 189sq.m); The total gross floor area of the development is c. 43,272sq.m; The development will also comprise the provision of 2 vehicular accesses from Adamstown Boulevard, 1 vehicular access from Adamstown Drive (L1030), 2 vehicular accesses from Adamstown Park Road and 2 vehicular accesses from Tandy's Lane; vehicular connections will also be provided to permitted roads in Tandy's Lane Phase 1; internal routes; 535 car parking spaces including on-curtilage and off-curtilage spaces; bicycle parking; bin storage; plant; ESB Substations; boundary treatments; lighting; hard and soft landscaping; and all other associated site works; on 2 No. sites separated by the permitted Tandy's Lane Phase 1 Development (SDCC Reg. Ref. SDZ19A/0011) with a total site area of c. 10.24 hectares at Tandy's Lane, in the townlands of Doddsborough and Finnstown, Adamstown, Lucan, Co. Dublin. The western site (8.06 hectares) is generally bounded to the west by Adamstown Boulevard, to the north by Adamstown Drive (L1030), to the east by the Tandy's Lane Phase 1 Development which is currently under construction (SDCC Reg. Ref. SDZ19A/0011) and undeveloped lands, and to the south by Tandy's Lane which links Adamstown Boulevard with Adamstown Park Road. The eastern site (2.18 hectares) is generally bounded to the west / north-west by the permitted Tandy's Lane Phase 1 Development, to the east by Adamstown Park Road and to the south by Tandy's Lane; This application is being made in accordance with the Adamstown Planning Scheme 20141 (as amended) and relates to

a proposed development within the Adamstown Strategic Development Zone Planning Scheme. The lands are located within the Tandy's Lane Village Development Area.

**Location:** Tandy's Lane, In the townlands of Doddsborough and Finnstown, Adamstown, Lucan, Co. Dublin

**Floor Area:**

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

**Additional Information Requested/Received:** 07-Jun-2022 /01-Sep-2022

**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 2022 - 2028 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, and as amended by Further Information received on the 1st of September 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. Restriction on Use and Occupancy.  
Each proposed residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, (including short-term letting).  
REASON: To prevent unauthorised development.

3. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

REASON: In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

4. Street Naming and Dwelling Numbering.

Prior to the commencement of any works on site the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

(i) A street naming and dwelling/unit numbering scheme, for the development as approved that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the 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 Planning Authority's 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 prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site.

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 the South Dublin County Council's Development Plan.

5. Phasing.

A total of 348 residential units comprising houses and duplex apartments is hereby permitted. In accordance with the details submitted the following shall apply:

- (a) Prior to the commencement of development, the developer/landowner shall submit for written agreement of the Planning Authority, a detailed phasing schedule for the lands in their ownership (specifying units numbers and densities) in the context of the delivery of units in the overall SDZ development. The sequence in which works are carried out shall be subject to the written agreement of the Planning Authority. Individual blocks shall generally be completed in full as part of a single phase of construction.
- (b) Following written agreement of a phasing schedule with the Planning Authority, a

plan shall also be submitted identifying the units completed at each stage of development.

(c) No unit in the development hereby approved, shall be occupied until the required facilities and infrastructure in the previous development phase have been completed to the satisfaction of the Planning Authority.

REASON: In the interest of clarity and to ensure that development occurs at a pace whereby it is supported by the necessary infrastructure in accordance with the requirements of the Adamstown SDZ Planning Scheme 2014, as amended.

6. Council Housing Strategy.

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.

7. Management Company.

A. Prior to the commencement of development the applicant/owner shall submit the following for the written agreement of the Planning Authority:

(i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the [first residential unit], and this plan shall also clearly identify and dimension any areas of the approved development intended to be offered for taking in charge by the Council, and;

(ii) A detailed building lifecycle report which shall include an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of approval of the development, as well as demonstrating what measures have been specifically considered by the developer to effectively manage and minimise costs for the benefit of all potential residents.

The said external common areas of the development to be retained in private ownership indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.

B. Continued membership of an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the development.

C. No development shall take place under this permission until the applicant, owner or developer has lodged for the written agreement of the Planning Authority:

(i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above.

D. Any changes to the status or nature of the Owners' Management Company shall be notified to the Council forthwith.

E. The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.

REASON: To ensure a proper standard of residential development and maintenance of the private areas within the development and compliance with the South Dublin County Council Development Plan.

8. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

9. Drainage

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) 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.

10. Regulation of Institutional Investment in Housing - Mixed unit-type development.

(a) Prior to the commencement of any house in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house), pursuant to Section 47 of the Planning and Development Act 2000 (as amended), that restricts all houses permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has

been discharged in respect of each specified housing unit.

REASON: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

11. Permission Required for Class 1 & 3 Exemptions.

Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.

REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

12. Archaeological Monitoring, Recording & Reporting

(a) The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

(b) 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.

(c) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.

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

13. Roads

(a) Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority and SDCC's Roads Department revised drawings that include the following:

i. The northern east-west vehicular connection designed to be in accordance with DMURS.

ii. A revised plan layout showing all homezones with perpendicular parking having a turning length of 6.0m behind the parking spaces for safe access and egress from the parking bays.

iii. A revised plan layout showing the cross sections of the different road types, identifying footpath widths, cycle lanes and carriageway dimensions.

iv. Layout plan(s) of all access junctions including any alterations to the existing roads layout to make two way turning possible. The north-westernmost junction to Adamstown Drive (L1030) shall be amended to allow turning in both directions.

v. Details of refuse collection areas as raised in the submitted Road Safety Audit and any other safety issues raised. Car parking space no. 408 shall be revised so that it would be

easier to access.

vi. Details of a the in-curtilage parking spaces to be within the boundary of private areas.

(b) Wheel wash facilities shall be set up on site during construction to ensure that no site debris or dust is carried onto public roads.

(c) The applicant shall provide 5% of vehicular parking spaces for mobility impaired users, and 20% vehicular parking spaces to be equipped with electrical charging points.

(d) Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme with South Dublin County Council Lighting Department. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department.

(e) Prior to commencement of development a Construction Traffic Management Plan shall be agreed in writing with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

(f) All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.

(g) SLOW ZONES in Residential Estates; All signage within the proposed development is required to comply with the requirements of the Department of Transport Tourism and Sport's Traffic Signs Advice Note for Slow Zones (TSAN-2016-02).

REASON: In the interest of sustainable transport, and traffic, cyclist and pedestrian safety.

#### 14. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €3,756,692.14 (Three million seven hundred fifty-six thousand six hundred ninety-two euros and fourteen 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.

15. Retention of Arboricultural Consultant

The developer shall engage the services of a qualified arborist as an arboricultural consultant, for the entire period of construction activity. This is to ensure the protection of trees to be retained adjacent to the site within Phase 1 Development, the applicant shall confirm this in writing to SDCC.

REASON: To ensure the protection, safety, prudent retention and long-term viability of trees to be retained immediately adjacent to the site.

16. Tree Protection

In order to ensure the protection of trees to be retained immediately adjacent to the development site (Phase 1), the applicant shall implement all recommendations contained within the Tree Survey and Arboricultural Report prepared by The Tree File Ltd.

The applicant is to ensure the protection of the existing hedgerows and trees to be retained through the retention (or installation) of suitable tree protection fencing in order to protect the existing trees in the adjacent Phase 1 site during the construction of Phase 2. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837 Tree Protection and Fencing. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas

REASON: To ensure the protection, safety, prudent retention and long-term viability of trees to be retained immediately adjacent to the site.

17. Retention of Landscape Architect

i) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.

ii) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.

i) Installation of attenuation tree pits shall be supervised by the project landscape architect.

REASON: In the interests of residential and visual amenity, climate action and to ensure full and verifiable implementation of the approved landscape design

18. Landscape Plan

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 any works on site the applicant, owner or developer shall have lodged with the Planning Authority and agreed with the Planning Authority and Public Realm Section of South Dublin County Council:

A revised 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. The landscape plan shall incorporate:

i. Street trees that are in line with the requirements set out in the Adamstown Strategic



Development Zone Planning Scheme (Adamstown SDZ) 2014, Adamstown Street Guide (ADSG) 2010 and the subsequent Design Manual for Roads and Streets (DMURS) 2019. at a minimum 18-20cmg at planting. The applicant/developer shall liaise with the Public Realm Section as to where further street trees are required dashed. This may require significant reorientation of parking to achieve.

- ii. All SuDS proposals including swales, ensuring consistency with Engineers Drawings/proposals.
  - iii. Details of all street tree planting pits to include SUDs measures in urban tree pits that allow surface water runoff to be directed to the top of the soil profile and percolate through.
  - iv. The geotextile layers within the tree pits to be taken in charge to be removed.
  - v. All lighting to be clearly shown on landscape plans to ensure there is no conflict with street tree planting.
  - vi. Planting detail for areas to be taken in charge to be agreed with Public Realm.
  - vii. Implementation timetables.
  - viii. Detailed proposals for the future maintenance/management of all landscaped areas.
- REASON: To ensure the provision of a reasonable standard of landscape in accordance with the Planning Scheme.

#### 19. Implementation of Landscape Plans

Once Agreed, the Landscape Plans prepared by Doyle & O'Troithigh Landscape Architecture shall be implemented in full, within the first planting season following completion of the development.

- i. All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plans, Hard and Soft Landscape Plan and Boundary Plans.
  - ii. 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).
  - iii. 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.
  - iv. 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.

#### 20. Ecological/Bat Report

The applicant/developer shall submit written confirmation to the Planning Authority that all recommendations and mitigation measures outlined in BSM Ecological Appraisal, BSM Ecological RFI Response and Brian Keeley Bat Report will be adhered to.

REASON: To ensure the protection of ecology and bats.

#### 21. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

Revised plans that incorporate all of the following amendments-

(a) Omit Units A3-1 to A3-6 inclusive (6 no. units in total) and this area incorporated into any forthcoming application for the remaining lands of Development Area No. 6 Tandy's Lane Village.

(b) The private amenity spaces for Units A1-4 to A1-9 inclusive (6 no. units in total) shall be increased in size to provide for the minimum private amenity space requirement of 70sq.m for a four bedroom house under the Adamstown Strategic Development Zone Planning Scheme 2014 (as amended).

(c) The southern east-west pedestrian connection revised to include cyclist access to Adamstown Boulevard from the site.

(d) House types C1.2 and D3.2 revised to include further window fenestration on the upper floors. Opaque glazing may be used to non-habitable rooms where appropriate.

(e) The private amenity spaces of the ground floor duplex units in Block A2 shall be enlarged, to adequately compensate for no provision of semi-private amenity space, and a privacy strip provided outside the boundary of these with the public footpath. The proposed railings along the rear boundary of all the upper floor duplex unit roof terraces shall be revised to provide a more appropriate boundary that avoids overlooking into the private amenity space directly below, and allows for passive surveillance of the park (in the case of the units facing the northern pocket park).

(f) Details shall be provided of landscaping to screen the proposed ESB substations.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

## 22. Aviation

The applicant/developer shall notify Weston Airport and the Authority of the intention to commence crane operations with at least 30 days prior notification of the erection.

REASON: In the interests of aviation safety and protecting the amenities of the area.

## 23. Occupation subject to service connection.

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.

## 24. Inland Fisheries

The following requirements of Inland Fisheries Ireland shall be adhered to on site:

(a) The applicant/developers prepares a Construction Environmental Management Plan (CEMP) and that appropriately designed, sized, and maintained drainage measures are incorporated in the final approved design to protect the aquatic environment, post construction.

(b) A comprehensive and integrated approach for achieving stream protection during construction and operation (in line with international best practice) should be implemented. Construction works must be planned in a manner which prevents extensive tracts of soils from being exposed at any time and arrangements must be made for the control and management of any contaminated water resulting from construction entering any drainage network within or beyond the site boundaries and subsequently entering an adjoining water course.

(c) Best practice shall be implemented in relation to any activities that may impact on surface water (stream and river). Any indirect discharges to surface streams present on or

near the site must not impact negatively on the system. Comprehensive surface water management measures must be implemented at the construction and operational stage to prevent any pollution of local surface waters.

(d) All discharges must be in compliance with the European Communities (Surface Water) Regulations 2009 and the European Communities (Groundwater) Regulations 2010.

(e) It is essential that the receiving foul and storm water infrastructure has adequate capacity to accept predicted volumes from this development during construction and post construction phases with no negative repercussions for the quality of any receiving waters.

(f) A designated, suitably experienced expert shall be assigned during the construction phase, to monitor the above listed requirements and ensure all agreed environmental mitigation measures are implemented and functioning correctly. The contact details of this appointed person shall be provided to the Planning Authority, Inland Fisheries Ireland and any other appropriate agency as deemed necessary.

REASON: To protect the ecology of the River Liffey Catchment.

#### 25. Construction Consultation and Local Liaison

(a) Prior to the commencement of development, the applicant/owner shall submit the following to the Planning Authority:

(i) the names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the construction of the development as approved. Subsequently all changes in these personnel or particulars in the course of construction must also be notified to the Council as soon as they occur.

(b) The applicant/owner or developer shall provide occupiers of noise sensitive properties within 100 metres of agreed construction access points to the development as approved with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident that could give rise to a disruptive aspect of construction activity, or otherwise to make an observation in respect of an aspect of construction activity.

(c) A public notice shall be erected and maintained at the agreed construction access points. This notice shall contain the name of the operating company and contact details, including out of hours contact, which may be used in the event that any person wishes to contact the operator in respect of any disruptive aspect of construction activity.

REASON: In the interests of amenity, public health and safety, the avoidance of unnecessary disruptive aspect of construction activity and the proper planning and sustainable development of the area.

#### 26. Energy/Building Lifecycle

The recommendations and mitigation measures detailed in the submitted Energy Statement prepared by Waterman-Moylan Consulting Engineers and Building Lifecycle Report prepared by SCD Consulting shall be implemented in full.

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

27. Construction and Demolition Waste Management Plan

Prior to the commencement of development the applicant/developer shall submit for the written agreement of the Planning Authority a detailed Construction and Demolition Waste Management Plan.

REASON: In the interest of the amenities of the area.

28. Materials and Finishes

Prior to the commencement of development the applicant/developer shall submitted materials and finishes of the development for the written agreement of the Planning Authority.

REASON: in the interests of visual amenity.

29. Environmental Health

(a) No heavy / noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 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.

(b) Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood.

(c) 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.

(d) A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.

(e) The applicant/developer shall put in place a pest control contract for the site for the duration of the construction works.

(f) Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A).

(g) Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.

(h) Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.

(i) Clearly audible or impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

REASON: In the interest of public health.

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: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

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.

*Pamela Hughes*  
for **Senior Planner**

**29-Sep-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