

John Spain Associates
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Dublin 2

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

Final Grant Order No.:	1111	Date of Final Grant:	30-Aug-2022
Decision Order No.:	0917	Date of Decision:	20-Jul-2022
Register Reference:	SD22A/0093	Date:	23-Jun-2022

Applicant: Echelon Clondalkin DC Services Limited
Development: Amendments to the development permitted under Reg. Ref. SD20A/0309 comprising: alterations to permitted ICT Facility buildings 2 and 3, to include internal reconfiguration of the ICT equipment halls, associated electrical and mechanical plant rooms, loading bays, maintenance and storage space, office administration areas, and reconfiguration of screened plant; alterations to the external facades of permitted ICT Facility buildings 2 and 3 to include modification and reconfiguration of fenestration, louvers, loading bays, and access doors, along with an increase in height of 1.2 metres to main parapet level and reduction in the height of rooftop plant to not exceed the parapet height of the buildings, along with the omission of previously permitted flues and exhaust ducts at roof level; omission of emergency generators and associated flues from permitted ICT Facility buildings 2 and 3; The proposed amendments to ICT Facility buildings 2 and 3 result in an increase in their gross floor area (GFA) of 2,511sq.m for each building, resulting in an overall increase in the GFA of the two buildings of 5,022sq.m; Alterations to the water storage tanks serving the permitted ICT Facility buildings, including total increase of 268 sq.m GFA to the permitted pumprooms and a reduction in the scale of the associated water storage tanks. All associated and ancillary works; The application site is subject to an EPA Industrial Emissions Licence relating to the Energy Centre permitted on site (under Reg. Ref.: SD18A/0068 as amended by Reg. Ref.: SD19A/0185).
Location: 3-4, Crag Avenue, Clondalkin Industrial Estate, Clondalkin, Dublin 22

Time extension(s) up to and including:

Additional Information Requested/Received: 26-May-2022 / 23-Jun-2022

A Permission has been granted for the development described above, subject to the following conditions.

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 23rd June 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. Previous Permission

All conditions attached to the planning permission granted under Reg. Ref. SD20A/0309 to which this application will have the effect of creating modifications to, shall apply, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the previous permission.

3. Roads, Vehicular Access and Parking.

(i) 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 in writing with the Planning Authority.

(ii) Prior to the commencement of development the applicant shall agree in writing a public lighting scheme with the Planning Authority. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of the Planning Authority.

(iii) Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority.

(iv) A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.

(v) The proposed development shall make provision for the charging of electric vehicles. In the case of on-surface parking, 100% of spaces must be provided with electrical connections, to allow for the provision of future charging points.

(vi) Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority showing number of loads, haulage routes, times of works, etc.

REASON: In the interests of road safety

4. Aviation Safety

Prior to the commencement of development the Applicant is required to engage with the Property Management Branch of the Department of Defence to undertake a preliminary screening assessment to confirm that the proposed development and any associated cranes that would be utilised during its construction would have no impact on the safety of flight operations at Casement Aerodrome. The Applicant shall provide written evidence of engagement with the Department of Defence to the satisfaction of the Planning Authority prior to the commencement of development.

REASON: In the interests of Aviation Safety.

5. Drainage and Water Services

(i) Prior to the commence of development the Applicant shall submit for the written agreement of the Planning Authority a drawing showing a cross section of proposed swales. Side slopes of proposed swales shall be a suitable gradient. Guidance on SuDS (Sustainable Drainage Systems) can be found on South Dublin County Council Website at [sdcc-suds-explanatory-design-and-evaluation-guide.pdf](https://www.sdcc.ie/sdcs-suds-explanatory-design-and-evaluation-guide.pdf)

(ii) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

(iii) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

(iv) All development shall be carried out in accordance with Irish Water's Standards, Codes and Practices.

(v) Prior to the commencement of development the Applicant shall enter into a water connection agreement with Irish Water.

(vi) Prior to the commencement of development the Applicant shall enter into a waste water connection agreement with Irish Water.

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

6. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

7. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

8. Equipment Noise.
Plant equipment with low inherent potential for generation of noise shall be selected and used. All mechanical plant and ventilation inlets and outlets should be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as LAeq over 15 minutes at 1 meter from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006.
REASON: To avoid unnecessary noise nuisance and in the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.
9. Emissions
The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site so as would give reasonable cause for annoyance to any person in any adjoining unit or public place in the vicinity.
REASON: In the interest of public health and safety.
10. Financial Contribution.
The developer shall pay to the Planning Authority a financial contribution of €2,844,707.70 (two million eight hundred and forty four thousand seven hundred and seven euros and seventy 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.
11. The developer shall pay to South Dublin County Council a supplementary development contribution in the sum of €643,774.98 (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index) pursuant to the provision of Section 49 Planning & Development Act 2000 (as amended) towards the expenditure incurred in the provision of the Kildare Route Project which facilitates this development.
REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a Supplementary Contribution be made in respect of the upgrade of the Irish Rail, Kildare Route Project.

NOTES :

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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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

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 applicant is advised that where industrial effluent is produced or stored a licence may be required under the provisions of the Waste Management Act.

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.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. Please log onto www.localgov.ie and click on BCMS link.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1: Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

Z. McAuley 31-Aug-2022
for Senior Planner