

J.E. Keating
4 Holbar House
East Douglas Village
Douglas
Co. Cork

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

Final Grant Order No.:	1232	Date of Final Grant:	03-Oct-2022
Decision Order No.:	1089	Date of Decision:	24-Aug-2022
Register Reference:	SD22A/0056	Date:	28-Jul-2022

Applicant: Alrewas Investments Limited
Development: The erection of a temporary golf gym pavilion and all associated site works (structure is located within curtilage of a Protected Structure RPS 002).
Location: Hermitage Golf Club, Lucan, Co. Dublin.

Time extension(s) up to and including:

Additional Information Requested/Received: 13-Apr-2022 / 28-Jul-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 28th July 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. Temporary Permission.
 - (a) The permitted structure and use shall be authorised for a period of 4 years, from the date of the final grant of permission.
 - (b) At the expiration of the four year period, the permitted structure shall be removed and the permitted use of the land shall be discontinued.
 - (c) At the expiration of the four year period, the land owner shall ensure that works are carried out for the re-instatement of the land.
REASON: To ensure adequate management of development in the interests of the proper planning and sustainable development of the area, as per s. 34(4)(n) of the Planning and Development Act 2000, as amended.

3. Siting.

The proposed structure shall be located entirely within the confines of the car park and foundation screws shall be located in the hardstanding car park area.

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

4. Architectural Conservation - Schedule of Finishes.

Prior to commencement of development, a final Schedule of materials and finishes shall be submitted to the Planning Authority for approval. Details shall be submitted prior to commencing development detailing the final material finishes and colours for agreement.

REASON: To ensure the final materials and colour palette achieves a coherent finish within the site context and adjacent to a Protected Structure Site in providing a suitable colour which can assist in continuing to minimise visual impacts.

5. Restrictions on Operation.

(a) The proposed structure shall be open only to members of the Golf Club, and the club shall not offer a separate 'gym only' membership.

(b) The hours of operation shall be 7am to 7pm, Monday to Sunday, subject to (c).

(c) The gym shall be closed at any time when the clubhouse is closed.

REASON in the interests of proper planning.

6. Trees.

(a) Trees.

To ensure the protection of trees to be retained within the site, the applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in Arboricultural Method Statement and Tree Protection Plan, in the submitted Arboricultural Report. The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate is to be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the Public Realm Section (for written agreement) upon completion of the works.

REASON: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development

(b) Implementation of Tree Protection.

No works shall commence unless the tree protection measures have been implemented in full in accordance with the approved tree protection plan. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities shall be permitted within the protected areas without the written consent of the planning authority and no fire shall be lit in the position where the flames could extend to within 5 metres of foliage, branches or trunks. The approved tree protection measures shall be retained in situ until the development has been completed.

REASON: In order to ensure adequate protection for the trees and hedges on the site during the construction of development, and in the interests of the visual amenity of the area.

(c) Tree works.

All works shall be carried out in accordance with BS5837:2012 Trees in relation to design, demolition and construction. If, during construction, it becomes apparent that further works or changes are required, work shall not progress any further on site until the applicant has secured a site meeting with a suitably qualified professional to agree the details and phasing of any tree surgery works not detailed in the submitted report. A written schedule shall be submitted for the approval of the Public Realm Section.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area.

7. Tree Bond.

A maximum of two weeks from the date of the Commencement Notice and prior to the commencement of works on site, a Bond or bank draft to the value of €10,000 shall be lodged with South Dublin County Council as a security for the protection of the existing trees and hedgerows on site which are to be retained, as per the submitted Arborists Report.

This bond will be released twelve months after the completion of all site works once it has been ascertained that all trees specified for retention have been preserved in their prior condition and have suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree protection. If the trees show any deterioration twelve months after completion of development, the Council reserves the right to partially or fully sequester this bond in order to undertake compensatory planting elsewhere in the vicinity of this site, based on the Councils inspection and estimation of the damage caused.

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

8. Drainage - Irish Water.

(a) The 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.

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.

9. Ecology - Mitigation Measures.

Silt fencing shall be used during construction of the structure, as necessary. The applicant shall retain the services of an Ecologist to advise on proper use of silt fencing.

REASON: To prevent water run-off into the nearby river during construction.

10. 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.

11. 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.

12. Operational Noise.

(a) Noise due to the normal operation of the proposed development, expressed as LAeq over 15 minutes at the façade of any noise sensitive location, shall not exceed the daytime background level i.e. 0700 – 1900 by more than 10 dB(A) and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 .

Clearly audible and impulsive tones at noise sensitive locations during evening and night as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be avoided irrespective of the noise level.

(b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any residence, adjoining premises or public place in the vicinity.

(c) All mechanical plant and ventilation inlets and outlets 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: 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.

- (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.

M. Crowley, Dated 04-Oct-2022
for Senior Planner