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D16 K5C3

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

Final Grant Order No.:	1381	Date of Final Grant:	03-Nov-2022
Decision Order No.:	1178	Date of Decision:	19-Sep-2022
Register Reference:	SD22A/0124	Date:	23-Aug-2022

Applicant: Citywise Education

Development: Extend the existing two storey building on site that provides after-school education to students in the area, where the new building will facilitate second and third level students; a new shared entrance serving both buildings; proposed extension is a two storey building, matching the scale and massing of the existing building; the building has been designed to achieve a Net Zero Whole Life Carbon standard and this in part is achieved by an external brick skin, a cross laminated timber structural system, harnessing of natural light and extensive use of photovoltaic solar panels; the building programme will provide a lecture theatre, a science laboratory, classrooms, a reading room, offices, a central atrium, and a kitchen facility; the flat roof will carry solar photovoltaic solar panels and a biodiversity outdoor classroom, and all associated site works; relocate the muga within the complex to the east of the existing building and provide additional outdoor sports equipment; all proposed boundary fencing will match the existing boundary treatment in size and material.

Location: Durkan Centre, Fortunestown Way, Jobstown, Dublin 24, D24 W284

Time extension(s) up to and including:

Additional Information Requested/Received: 20-Jun-2022 / 23-Aug-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 August 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. Phasing.
Phase 1 of the development shall comprise the delivery of the new MUGA area, including the public ramp access from Fortunestown Way, and the opening of the MUGA for public use. Phase 1 of the development shall be completed prior to the closure of the existing MUGA to the public to make way for the extension to the Citywise centre. Any other feature of the development which can be provided without the closure of the MUGA may be provided simultaneously with Phase 1 works described above.
3. Play Equipment.
The play equipment to be located in the MUGA shall be agreed with the SDCC Public Realm Department prior to commencement of phase 1 of the development.
4. Roads.
 - (a) A Mobility Management Plan is to be prepared within six months of grant of permission and is to be agreed with the Planning Authority.
 - (b) Prior to commencement of development, the applicant shall submit the Construction Traffic Management Plan for the written agreement of the Planning Authority.
 - (c) Prior to commencement of development, the applicant shall submit a Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority.
5. Landscape Plan.
Prior to the commencement of any works on site, the applicant, owner or developer shall obtain the written agreement of the Planning Authority to:
 - a) A fully 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 include hard and soft landscape details; including levels, sections and elevations in addition the applicant is requested to submit a fully detailed Planting Plan for the development.
 - b) The planting plan shall clearly set out the following:
 - i. Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate
 - ii. Implementation timetables.
 - iii. Detailed proposals for the future maintenance/management of all landscaped areas
 - c) In relation to the proposed MIYAWAKI Woodland Planting The applicant shall clearly set out the following:
 - i) Details of soil preparation and depth of mulch to be used
 - ii) Details of tree staking/tree protection guards if required
 - iii) Details of proposed maintenance including watering and weeding in the first 2-3 years in order to ensure woodland establishment.
 - d) 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).
 - e) 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.
 - f) 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: the interests of biodiversity, amenity, compliance with Development Plan Policy, the provision, establishment and maintenance of a reasonable standard of landscape and the proper planning and sustainable development of the area.

6. Landscape Maintenance.

Prior to any occupation of the development, the written agreement of the Planning Authority shall be obtained for a scheme for the maintenance and management of the landscape scheme for the lifetime of the development. All works shall be maintained in accordance with the agreed scheme.

The scheme shall include the following:

- i) methods for the proposed maintenance regime;
- ii) detailed schedule;
- iii) details of who will be responsible for the continuing implementation
- iv) details of any phasing arrangements

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area in accordance with the policies and objectives of the County Development Plan 2022-2028.

7. Sustainable Drainage.

A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development.
- Where possible, this should show the use of surface level conveyance such as swales, rather than pipes.

- A drawing to show how surface water shall be attenuated to greenfield run off rates.
- Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed.

Examples of SuDS include permeable paving, filter drains, bio-retention tree pits, rains gardens, swales or other such SuDS.

- SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.

- The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, in accordance with the policies and objectives of the County Development Plan 2022-2028.

8. Green Space Factor.

Prior to commencement of development, a Green Space Factor (GSF) Worksheet shall be submitted by the applicant for the proposed development detailing how they have achieved the appropriate the minimum Green Space Factor (GSF) scoring established by their land use zoning. As per Policy GI5, Objective 4 and section 12.4.2 of the County Development Plan. The appropriate minimum score on RES lands is 0.5. The worksheet can be obtained from the

SDCC Public Realm Department.

Developers can improve their green factor score by retaining existing landscape features and incorporating new landscape features and GI interventions. Completed Green Space Factor (GSF) worksheets should be submitted to SDCC with the Green Infrastructure Plan and Landscape Plan for a proposed development.

REASON: In the interests of the amenity and environmental quality of the locality and to assimilate the development into its surroundings, in accordance with policy GI5 Objective 4 and other relevant policies of the CDP 2022-2028.

9. Bicycle Parking - Roads.

Additional bicycle parking stands shall be provided in the locality of, and accessible from, the proposed MUGA, their precise location and level of provision being agreed with the Planning Authority prior to commencement of development.

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.

13. The following privacy measure shall be installed, prior to the occupation of the development hereby permitted;

i. Opaque glazing shall be installed on all windows located on the western side elevation of the proposed development that are located above ground floor level.

ii. A privacy screen, with a minimum height of 1.8 meters , be located along the western side of the rooftop outdoor classroom.

REASON: To protect the privacy of the adjoining residential properties

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: 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.

M. Crowley

03-Nov-2022

for Senior Planner