

**John Spain Associates**  
**39 Fitzwilliam Place**  
**Dublin 2**

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

Final Grant Order No.:	<b>1184</b>	Date of Final Grant:	<b>21-Sep-2022</b>
Decision Order No.:	<b>1001</b>	Date of Decision:	<b>08-Aug-2022</b>
Register Reference:	<b>SD22A/0270</b>	Date:	<b>13-Jun-2022</b>

**Applicant:** MLEU Dublin 3 Limited and Charles Greene

**Development:** The provision of an amended junction and new link road from the existing Clonlara Road to the currently undeveloped lands with Enterprise and Employment zoning objective South of the Camac River and North of the N7 National Route. Interim measures are included within the application to block access to the new road until such time as the undeveloped lands are developed. All associated landscaping, infrastructure and site development works to facilitate the development.

**Location:** Townlands of Moneenalion Commons Upper, Brownsbarn and Collegeland, Baldonnell Business Park, Dublin 22

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

**Additional Information Requested/Received:**

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

**Conditions and Reasons:**

1. Development in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, 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. Drainage - Surface Water.  
Prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:  
(i) A drawing and report to show in m<sup>3</sup> what surface water attenuation is required and what is provided for proposed development.
  - The Developer shall ensure that there is complete separation of the foul and surface water drainage systems within the site, both in respect of installation and use.
  - All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.REASON: In the interests of public health, safety, the proper planning and sustainable

development of the area and in order to ensure adequate and appropriate surface water drainage provision.

3. Due to the proximity to Casement Aerodrome, the applicant / developer shall implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.

REASON: In the interests of aviation safety.

4.
  1. Any road marking proposed and or to be installed shall comply with most up to date Chapter 7 (ROAD MARKINGS) of the Traffic Signs Manual.
  2. Any road sign proposed and or to be installed shall comply with most up to date Chapter 6 (WARNING SIGNS) of the Traffic Signs Manual.
  3. Any road sign proposed and or to be installed shall comply with most up to date Chapter 5 (REGULATORY SIGNS) of the Traffic Signs Manual.

REASON: In the interests of Roads safety, the proper planning and sustainable development of the area.

5. a). Tree Protection

The applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the Tree Protection Plan as per Cunnane Stretton Reynolds Drawing no. 18417C\_T\_103, as submitted on and Arboricultural Report as submitted on 13th June 2022. Tree Protection measures to extend to any hedgerows on site. Prior to the commencement of development, the arborist shall submit photographs and confirmation that fencing for retained trees meets BS5837:2012. Trees in Relation to Design, Demolition and Construction – Recommendations for the written agreement of the Public Realm Section.

All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.

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 planning authority for written agreement upon completion of the works.

- b). Landscape Plan

The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping which accompanied the planning application submitted, unless otherwise agreed in writing with the Public Realm Section prior to commencement of development.

REASON: To ensure the protection of trees to be retained on site in the interests of climate adaptation, proper planning and sustainable development.

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. Operational Noise.

(a) Noise due to the normal operation of the proposed development, expressed as  $L_{Aeq}$  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  $L_{Aeq}$  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.

**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 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.

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

- (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](http://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*

\_\_\_\_\_ 21-Sep-2022  
*for Senior Planner*