

**Declan Brassil & Co Ltd**  
**Lincoln House**  
**Phoenix Street**  
**Smithfield**  
**Dublin 7**

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

Final Grant Order No.:	<b>1605</b>	Date of Final Grant:	<b>15-Dec-2022</b>
Decision Order No.:	<b>1396</b>	Date of Decision:	<b>07-Nov-2022</b>
Register Reference:	<b>SD22A/0299</b>	Date:	<b>11-Oct-2022</b>

**Applicant:** Citywest Drive Limited Partnership

**Development:** The development will consist of amendments to the Strategic Housing Development permitted under An Bord Pleanála Reference TA065.305556. The proposed amendments comprise the provision of photovoltaic panels on the roofs of all 6 no. blocks, the provision of roof plant at Blocks A, B, C and D, the provision of an ESB substation at Block O that requires the relocation of no. 1 carparking space, and the reconfiguration of the ground floor of Block E to provide an enlarged plant room. These amendments are necessary to service the permitted blocks, improve the energy efficiency of the development, and to meet the requirements of ESB to serve the site. At Block A it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows; and a screen plant area accommodating an internal plant room of 13.24 sqm and an external plant area of 34.72 sqm surrounded. The proposed screened plant rises approx. 1 metre above the permitted lift overruns. At Block B it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows on the 5-storey section of the permitted building; a red brick internal plant room of 10.3 sqm on the 4-storey section of the building; and a screened external plant area of 29.2 sqm on the 4-storey section of the building. The proposed roof plant rises approx. 1 metre above the permitted lift over run. At Block C it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows on the 6-storey section of the permitted building; a red brick internal plant room of 10.3 sqm on the 5-storey section of the building; and a screened plant area of 32 sqm on the 5-storey section of the building. The proposed roof plant rises approx. 1 metre above the permitted lift over run. At Block D it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows; a screened with an internal plant room of 13.5 sqm and an external plant area of 24.33 sqm; a c. 3-metre-high red brick ESB substation with LV switch room to the southwest of the Block D, and the ancillary relocation of 1 no. car parking space. The proposed screened plant rises approx. 2 metre above the permitted parapet level. At Block E it is proposed to provide the following; 18 no. photovoltaic panels arranged in 3 no. rows; and the reconfiguration of the ground floor to replace 1 no permitted retail unit with an enlarged Plant Room (117.15 sqm), ESB

substation (13.6 sqm), a Generator Room (21.82 sqm), and a Low Voltage (L V) switchroom (13.71 sqm). These works require the removal of existing windows and doors at the permitted retail unit. At Block F it is proposed to provide 18 no. photovoltaic panels arranged in 2 no. rows. These, and all associated site works including landscaping at a site of 2.9 hectares.

**Location:** Citywest Shopping Centre, Fortunestown, Dublin 24

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

**Additional Information Requested/Received:** 29-Aug-2022 / 11-Oct-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 11.10.2022, 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. 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.
3. 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.

4. Glint/Glare Assessment regarding Aviation.

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

- (a) written confirmation that the applicant has forwarded a Glint and Glare Assessment which considers the predicted effect of the proposed solar panels on sensitive aircraft receptors of the proposed development to the Irish Aviation Authority.
- (b) the written agreement of the Irish Aviation Authority and/or the Air Corps Traffic Service, which states that:
  - (i) the proposed construction works - inclusive of cranes - will not affect the safety, efficiency or regularity of aircraft generally and/or of Air Corps operations.
  - (ii) the proposed development - inclusive of the solar panels - will not affect the safety, efficiency or regularity of aviation operations or the emergency services (e.g. Coast Guard helicopters ) operated in the vicinity of Tallaght Hospital.

REASON: In the interests of public safety, protecting the environment and in the interests of the amenities of the area.

5. Drainage - Irish Water.

- (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.
- (c) Prior to commencement of development the applicant shall submit to the Planning Authority for written agreement a drawing to clarify where proposed sub station is relative to existing surface water network. The setback distance from any surface water pipe shall be as per the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.
- (d) Prior to commencement of development the applicant shall submit to the Planning Authority for written agreement a drawing showing what SuDS (Sustainable Drainage System) are proposed for the development. Examples of SuDS can be found in SuDS Guide on South Dublin County Council Web Site at [sdcc-suds-explanatory-design-and-evaluation-guide.pdf](http://sdcc-suds-explanatory-design-and-evaluation-guide.pdf)
- (e) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
- (f) 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, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

6. Roads Requirements.

All relevant conditions as per parent permission SHDABP-305556-19 shall be attached to this permission.

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

**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*

\_\_\_\_\_15-Dec-2022  
for Senior Planner