

# Comhairle Chontae Atha Cliath Theas

**PR/0037/23**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0292      **Application Date:** 30-Jun-2022  
**Submission Type:** Additional      **Registration Date:** 08-Dec-2022  
Information

**Correspondence Name and Address:** Diamond Architects 83, The Bracken, Marina Village, Greystones, Wicklow, A63 K162

**Proposed Development:** Construction of additional floor area of 192.43sqm to existing warehouse and office building of 1658.44sqm, alterations to layout of 152.11sqm of existing warehouse and alterations to existing parking layout to accommodate disabled parking. New first floor of 169.75sqm internally in existing warehouse, internal alterations at ground level, 2 storey extension to southern elevation of existing warehouse to accommodate new entrance lobby and all associated site works.

**Location:** Healy Chemicals Ireland Ltd, HCL House, Second Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24

**Applicant Name:** Healy Chemicals Ireland Ltd.

**Application Type:** Permission

(CB)

### **Description of Site and Surroundings**

Site Area: stated as 0.321 Hectares on the application.

Site Visit: 22 August 2022

### **Site Description**

The subject site is facing onto Second Avenue within the Cookstown Industrial Estate in Tallaght. The site is rectangular in shape and consists of a warehouse unit in an 'L' shape with vehicle parking to the front and access to the loading bay along the eastern side of the site. On either side of the site are existing industrial/warehouse units. There are existing trees and a boundary wall along the front of the site.

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### **Proposal**

Permission is being sought for a warehouse extension (circa 192.43sq.m of additional floor space) and internal works comprising the following:

- Alterations to layout of 152.11 sqm of existing warehouse;
- Alterations to existing parking layout to accommodate disabled parking.
- Construction of a new first floor of 169.75sqm internally in existing warehouse;
- And internal alterations at ground level, two storey extension to southern elevation of existing warehouse to accommodate new entrance lobby and all associated onsite works.

### **Zoning**

The subject site is subject to zoning objective 'REGEN': *'To facilitate enterprise and/or residential-led regeneration'*.

### **Consultations**

Environmental Health Department – no objections subject to conditions:

Water Services – Surface Water: **Further Information Required** / Flood Risk – no objection.

Irish Water – no objections subject to conditions.

Roads Department – **Further Information Required.**

### **Submissions/Observations /Representations**

None received.

### **Relevant Planning History**

None relating to the subject site.

North of the subject site.

#### **Unit 21, First Avenue, Cookstown Industrial Estate, Dublin 24.**

SD21A/0196 – Demolition of all existing 1-3 storey industrial/commercial structures and small cafe on site totalling c.5,500sq.m in area; construction of a 1-5 storey nursing home/step-down facility (131 bedspaces).

**REFUSE PERMISSION.**

**ABP-311568-21 – 1<sup>st</sup> Party Appeal - Refuse Permission.**

East of the subject site.

#### **Unit 22, Cookstown Industrial Estate, Tallaght, Dublin 24.**

SD05A/0087 – Change of use of existing two-storey industrial warehouse to retail warehousing; alterations to northeast elevations to include public customer entrance glazing and doors; alterations to car parking layout and associated site works.

**GRANT PERMISSION.**

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**West of the subject site.**

**Unit No. 1, Cookstown Square, Cookstown Industrial Estate, Tallaght, Dublin 24.**

S01A/0733 – Mezzanine floor and minor alterations to elevations.

**GRANT PERMISSION.**

### **Relevant Enforcement History**

None recorded for subject site relevant to the current application according to APAS.

### **Pre-Planning Consultation**

Brief pre-planning discussion has taken place on 21/06/2022 with Planning Admin with regards to the development description.

### **Relevant Policy in South Dublin County Council Development Plan 2022 – 2028**

*Section 4 Green Infrastructure*

*Section 4.1 Methodology*

*Policy GI1: Overarching*

*Section 4.2.2. Sustainable Water Management*

*Policy GI4: Sustainable Drainage Systems*

*Section 4.2.3 Climate Resilience*

*Policy GI5: Climate Resilience*

*GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

*Section 5 Quality Design and Placemaking*

*Section 5.2.6 High Quality and Inclusive Development*

*Policy QDP7: High Quality Design – Street Frontage*

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#### *Section 7 Sustainable Movement*

##### *7.10 Car Parking*

##### *Policy SM7: Car Parking and EV Charging*

*SM7 Objective 9: To ensure that car parking is designed in such a manner as to promote visual amenity, green infrastructure, carbon sequestration and sustainable drainage (SuDS) by applying the following requirements:*

- *Provision of landscaping integrated into the design of all car parking, to include planting of native trees and pollinator species;*
- *Provision of not more than two parallel or five perpendicular spaces between trees / planting bays;*
- *Use of permeable paving, where appropriate.*

#### *Section 9 Economic Development and Employment*

##### *Section 9.2.2 Urban Growth, Regeneration and Placemaking*

##### *Policy EDE4: Urban Growth, Regeneration and Placemaking*

*EDE4 Objective 11: To support the regeneration of the Tallaght LAP lands in a co-ordinated and sustainable manner in accordance with the Tallaght Town Centre LAP 2020 or any superseding plan whilst ensuring the lands particularly Cookstown, remain a sustainable employment area to ensure environmentally short journeys to places of employment and to ensure the residential impact of the REGEN zoning does not instigate the decline in the employment capacity and sustainability of the area.*

#### *Section 11 Infrastructure and Environmental Services*

##### *Section 11.1 Water Supply and Wastewater*

##### *Policy IE2: Water Supply and Wastewater*

##### *Section 11.2 Surface Water and Groundwater*

##### *Policy IE3: Surface Water and Groundwater*

*IE3 Objective 2: To maintain and enhance existing surface water drainage systems in the County and to require Sustainable Drainage Systems (SuDS) in new development in accordance with objectives set out in section 4.2.2 of this Plan including, where feasible, integrated constructed wetlands, at a local, district and County level, to control surface water outfall and protect water quality.*

##### *Section 11.3 Flood Risk Management*

##### *Policy IE4: Flood Risk*

##### *Section 11.7 Environmental Quality: Air, Noise and Light*

##### *Policy IE8: Environmental Quality*

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*Section 12 Implementation and Monitoring*

*Section 12.4.2 Green Infrastructure and Development Management*

*Section 12.5.3 Density and Building Heights*

*12.5.7 Signage – Advertising, Corporate and Public Information*

*Section 12.7.1 Bicycle Parking / Storage Standards*

*Section 12.7.5 Car Parking / Charging for Electric Vehicles (EVs)*

*Section 12.7.6 Car Parking Design and Layout*

*Section 12.9.1 Regeneration Zone*

*Section 12.11.1 Water Management*

### **Tallaght Town Centre Local Area Plan 2020**

#### *2.1 Introduction*

- *To direct land uses and intensity of development in a manner that creates a sustainable urban form, based on the integration of land use and transport planning (Objective UF1);*
- *To promote a mix of uses in a manner that creates a sustainable and active area (Objective UF2).*

#### *2.4 Land Use and Urban Function*

##### *2.4.1 Types of Development and Land Use Mix*

##### *2.4.3 Changing Nature of Areas*

#### *2.5 Neighbourhoods*

*Cookstown: An attractive mixed use residential led neighbourhood with distinctive urban qualities and high levels of access to public transport and the urban centre.*

#### *3.0 Neighbourhoods*

##### *3.3 Cookstown*

#### *5.0 Residential and Community*

#### *7.0 Climate Change: Mitigation and Adaptation*

#### *8.0 Implementation and Sequencing*

#### *9.0 Tallaght Specific Development Standards*

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### **Relevant Government Guidelines**

Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Use Amenity;
- Services and Drainage;
- Water and Wastewater;
- Traffic and Parking;
- Environmental Impact Assessment; and
- Appropriate Assessment.

### ***Zoning and Council Policy***

The proposed development is consistent in principle with zoning objective 'REGEN': *'To facilitate enterprise and/or residential-led regeneration'*. Warehousing is Open for Consideration under this zoning. An extension to an existing warehouse is therefore acceptable subject to an assessment against the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in the County Development Plan.

The subject site is located within the Cookstown Neighbourhood under the Tallaght Town Centre Local Area Plan 2020. The description for this neighbourhood is *'An attractive mixed-use residential and employment led neighbourhood with distinctive urban qualities and high levels of access to public transport and the urban centre, which will support existing businesses and additionally support the expansion of further small to medium size businesses and will continue to provide support for higher intensity employment.'*

Having regard to the scale of the proposed extension, the established nature of the site, the adjoining uses and the location of the site in the context of Cookstown, it is considered that the subject extension is acceptable and will not adversely impinge on the delivery of the Tallaght Local Area Plan.

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### ***Visual and Use Amenity***

The proposed development would provide for an additional floor area at first floor level over the east side of the existing warehouse with a floor plate measuring approx. 17.9m by 11.2m. The proposed development also comprises internal reconfigurations over 152.11sqm at ground floor level, below the proposed floor addition. Overall, the reconfigurations and the additional floor space would allow for staff kitchen, meeting room, training/function room, storage and toilets, ancillary to the warehouse use. A lobby is to be provided at the entrance to the newly reconfigured floor space on the southern façade, measuring approx. 4m by 2.6m and accessed via a set of stairs and a lift for disabled access. The 2-storey lobby would be glass clad and a small section of planting would be provided to mark the entrance. The Planning Authority has concerns with regard to the mention of 'signage' over the lobby area on the proposed First Floor Plan drawings and the lack of detail relating to said signage. This should be queried through a request for **further information**.

### ***Services and Drainage***

Water Services have reviewed the proposed development and recommend Further Information with regards to surface water:

- 1.1 Submit a report showing surface water attenuation calculations for proposed development. Show what surface water attenuation is required in m3 and show also what surface water attenuation is provided in m3. Surface water attenuation shall be provided by means of SuDS (Sustainable Drainage Systems).
- 1.2 Submit a drawing showing what SuDS are proposed for the development. Examples of SuDS can be found in SuDS Guide on South Dublin County Council Website at [sdcc-suds-explanatory-design-and-evaluation-guide.pdf](#).

There is no objection with regards to flood risk.

### ***Water and Wastewater***

With regard to water and foul drainage Irish Water have no objections subject to conditions:

*Water - Prior to the commencement of development the applicant or developer shall enter into a water connection agreement(s) with Irish Water.*

*- All development shall be carried out in compliance with Irish Water Standards codes and practices.*

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

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*Foul - Prior to the commencement of development the applicant or developer shall enter into a wastewater connection agreement(s) with Irish Water.*

*- All development shall be carried out in compliance with Irish Water Standards codes and practices.*

*Reason: In the interest of public health and to ensure adequate water facilities*

### ***Traffic and Parking***

The current car parking arrangements are to remain in place to the front of the existing warehouse, to the left of the site access point. The proposed development would include a disabled car parking space to the right of the existing warehouse building entrance. Currently, there are no bicycle parking storage associated with the development. The Planning Authority have concerns over the crossing of the staff members from the car park and the disabled car parking space over to the proposed lobby and staff area as it would cut through the path of HGV vehicles accessing the loading bay. Markings and an appropriate footpath leading to the lobby entrance should be required. There is an opportunity for SuDs measures to be included as part of a redesign.

Roads Department have also recommended the following Further Information items:

1. The applicant is requested to submit a revised layout not less than 1:200 scale showing the car parking, bicycle parking and pedestrian routes within the development. Please refer to Table 12.23: Minimum Bicycle Parking Rates– SDCC County Development Plan 2022-2028.
  - a. The minimum width of footpaths shall be 1.8m wide to aid mobility impaired users.
  - b. All external bicycle parking spaces shall be covered.
  - b. Footpath layout shall provide adequate connectivity around the development and to footpaths on the main road.
2. The applicant shall provide 5% of vehicular parking spaces for mobility impaired users, and 20% vehicular parking spaces to be equipped with electrical charging points.

REASON: In the interest of sustainable transport.

### ***Screening for Environmental Impact Assessment***

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.



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### ***Screening for Appropriate Assessment***

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

### **Conclusion**

Having regard to the:

- Provisions of the South Dublin County Development Plan 2022-2028 and the Tallaght Local Area Plan 2020,
- The drainage and SuDs requirements,
- Irish Water requirements.
- The traffic and car parking standard of the proposed development,

it is considered that **Additional Information** is required, to ensure the proposed development would be in compliance with Council policy, would not provide a safety hazard and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

Request Further Information.

### **Further Information**

- Further Information was requested on 24.08.2022
- Further Information was received on 08.12.2022

### **Further information**

The following Further Information was requested.

#### **Item 1: Parking Requirements**

The information submitted with the application does not provide enough detail with regards to movements of pedestrians around the car park and the provision of bicycle parking, therefore the applicant is requested to provide the following:

- a) A revised layout not less than 1:200 scale showing the car parking, bicycle parking and pedestrian routes within the development. Please refer to Table 12.23: Minimum Bicycle Parking Rates- SDCC County Development Plan 2022-2028.
  - i. The minimum width of footpaths shall be 1.8m wide to aid mobility impaired users.
  - ii. All external bicycle parking spaces shall be covered.
  - iii. Footpath layout shall provide adequate connectivity around the development and to footpaths on the main road.
- b) Provide 5% of vehicular parking spaces for mobility impaired users, and 20% vehicular parking spaces to be equipped with electrical charging points, REASON: In the interest of sustainable transport.

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### **Item 2: Services & Drainage**

The information submitted with the application does not offer enough detail to make a full assessment with regards to drainage, therefore the applicant is requested to submit the following:

a) A report showing surface water attenuation calculations for proposed development. Show what surface water attenuation is required in m<sup>3</sup> and show also what surface water attenuation is provided in m<sup>3</sup>. Surface water attenuation shall be provided by means of SuDS (Sustainable Drainage Systems).

b) A drawing showing what SuDS are proposed for the development. Examples of SuDS can be found in SuDS Guide on South Dublin County Council Website at [sdcc-suds-explanatory-design-and-evaluation-guide.pdf](#).

### **Item 3: Signage**

The Planning Authority notes from the Proposed New First Floor Plan, drawing No. 21-300P11B that signage is to form part of the proposed development. However, the proposed elevations do not show details of any signage, nor does the development description mention signage on the statutory notices.

The Planning Authority requests the applicant to provide details of any signage proposed and if necessary, submit revised notices.

No submissions/observations on the further information have been made.

### **Further Consultations**

Roads Department – No objections.

Surface Water Drainage – No objections subject to **conditions**.

Irish Water – No objections subject to **conditions**.

### **Further Submissions/Observations**

None.

### **Assessment**

#### **Item 1: Parking Requirements**

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information.

Based on review of the additional information submitted the Roads Department have issued a report stating no objections. An extract taken from the Roads report states the following:

*Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.*

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### **Roads Related Additional Information Requested by SDCC & Response by Applicant:**

*Note that the applicant's response is in RED*

1. The information submitted with the application does not provide enough detail with regards to movements of pedestrians around the car park and the provision of bicycle parking, therefore the application is requested to provide the following:

a) A revised layout not less than 1:200 scale showing the car parking, bicycle parking and pedestrian routes within the development. Please refer to Table 12.23: Minimum Bicycle Parking Rates- SDCC County Development Plan 2022-2028. See Diamond Architects revised proposed Site Layout Plan and proposed Ground Floor Plan, Dwg. No. 21-300-10C. We enclose six copies of the revised proposed floor plans. See the enclosed Diamond Architects drawing issue sheet.

i. The minimum width of footpaths shall be 1.8m wide to aid mobility impaired users. Footpaths are noted as 1.8m wide and will be dished as required to accommodate part M access.

ii. All external bicycle parking spaces shall be covered. 8 bicycle spaces are required. One short term and 7 long term. They will be housed in a 4.8m x 3.5m covered bicycle shed to comply with Table 12.23: Minimum Bicycle Parking Rates- SDCC County Development Plan 2022-2028.

iii. Footpath layout shall provide adequate connectivity around the development and to footpaths on the main road.

b) Provide 5% of vehicular parking spaces for mobility impaired users, and 20% vehicular parking spaces to be equipped with electrical charging points, REASON: In the interest of sustainable transport. A total of 4 x Electric Vehicles charging points are required. One of these is for the designated parking space. One disabled parking space is provided as required.

### **Roads Department Assessment:**

*SDCC Roads Department is satisfied with the applicant's submission on 1 (i), 1 (ii) and 1 (iii)*

The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

### **Item 2: Services & Drainage Requirements**

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter submitted states the following:

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2. The information submitted with the application does not offer enough detail to make a full assessment with regards to drainage, therefore the applicant is requested to submit the following:
- a) A report showing surface water attenuation calculations for proposed development. Show what surface water attenuation is required in m<sup>3</sup> and show also what surface water attenuation is provided in m<sup>3</sup>. Surface water attenuation shall be provided by means of SuDS (Sustainable Drainage Systems). See Doherty Finegan Kelly Engineers cover letter and report enclosed.
3. b) A drawing showing what SuDS are proposed for the development. Examples of SuDS can be found in SuDS Guide on South Dublin County Council Website at [sdcc-suds-explanatory-design-and-evaluation-guide.pdf](#). See Doherty Finegan Kelly Engineers cover letter and report enclosed.

Based on review of the additional information submitted the Surface Water Drainage Department have issued a report recommending no objections subject to **conditions**. An extract taken from the Surface Water Drainage report states the following:

*Surface Water Report: No Objection:*

*Flood Risk No Objection*

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

*Water Report: Referred to IW*

*Foul Drainage Report: Referred to IW*

Based on review of the additional information submitted Irish Water have issued a report recommending no objections subject to **conditions**. An extract taken from the Surface Water Drainage report states the following:

*1 Water*

*1.1 Prior to the commencement of development the applicant or developer shall enter into a water connection agreement(s) with Irish Water.*

*- All development shall be carried out in compliance with Irish Water Standards codes and practices.*

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

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### *2 Foul*

*2.1 Prior to the commencement of development the applicant or developer shall enter into a wastewater connection agreement(s) with Irish Water.*

*- All development shall be carried out in compliance with Irish Water Standards codes and practices.*

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

The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

### Item 3: Signage

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter submitted states the following:

*See the enclosed drawings. All mention of signage has been removed from the drawings. In the interests of expedience, any signage will be the subject of an entirely different planning application.*

As all signage has now been removed/omitted the Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

### **Other Considerations**

#### ***Development Contributions***

- Development subject of this application for warehouse extension is 192.43sq.m.
- Assessable area is 192.43sq.m.

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### Development Contributions

<b>Planning Reference Number</b>	SD22A/0292
<b>Summary of permission granted &amp; relevant notes:</b>	Warehouse Extension
<b>Are any exemptions applicable?</b>	
<b>If yes, please specify:</b>	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
<b>Is development commercial or residential?</b>	Commercial
<b>Standard rate applicable to development:</b>	112.57
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€112.57
<b>Area of Development (m2)</b>	192.43
<b>Amount of Floor area, if any, exempt (m2)</b>	0
<b>Total area to which development contribution applies (m2)</b>	192.43
<b>Total development contribution due</b>	€21,661.85

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential – warehouse extension	192.43sq.m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.321

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### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and the proper planning and sustainable development of the area and accordingly a grant of permission is recommended.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **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 08.12.2022, 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. Drainage - Irish Water.
  - (a). Prior to the commencement of development the applicant or developer shall enter into a water connection agreement(s) with Irish Water.
  - (b). All development shall be carried out in compliance with Irish Water Standards codes and practices.
  - (c). Prior to the commencement of development the applicant or developer shall enter into a wastewater connection agreement(s) with Irish Water.
  - (d). All development shall be carried out in compliance with Irish Water Standards codes and practices.
  - (e). The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

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(f). 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.

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.

### **3. 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.

### **4. 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.



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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.

5. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €21, 661.85 (Twenty One Thousand, Six Hundred and Sixty One Euros and Eighty Five 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.

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.


# Comhairle Chontae Atha Cliath Theas

**PR/0037/23**

## Record of Executive Business and Chief Executive's Order

**REG. REF. SD22A/0292**

**LOCATION: Healy Chemicals Ireland Ltd, HCL House, Second Avenue, Cookstown  
Industrial Estate, Tallaght, Dublin 24**

  
\_\_\_\_\_  
**Jim Johnston,  
Senior Executive Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:** 13/01/23\_\_\_\_\_

  
\_\_\_\_\_  
**Gormla O'Corrain,  
Senior Planner**