

Paul Sexton,
SCEG Ltd.
Unit 2
'The Five Roads'
Jordanstown
Lusk
Dublin
K45NY74

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

Decision Order Number:	0105	Date of Decision:	30-Jan-2023
Register Reference:	SD22A/0081	Date:	23-Dec-2022

Applicant: Clondalkin Rugby Football Club Ltd.

Development: Relocation of the existing Clondalkin RFC grounds at Gordon Park to new lands at Kingswood Farm, Moneenalion Commons Lower Clondalkin and comprising of 4 new rugby playing pitches, including a high quality main competition pitch (with modern directional floodlighting comprising 18m high floodlighting columns either side) and a high quality Junior pitch both laid approximately level, and two back pitches as well as various grassed rugby training areas all laid on existing land cross fall levels; change of use of existing agricultural shed to accommodate new two storey changing facility and storage areas; a new two storey Clubhouse Pavilion with supporting facilities including dressing rooms, physio rooms, coffee dock, committee rooms, members bar and lounge, plantroom and toilets; all associated site development sustainability and infrastructure work including connection to existing public foul sewer, SUDs, sedum roof and PV roof panels; new landscaping throughout the site comprising trees, hedges and wild flower areas; new cycle track and pedestrian access and stairs off the R136, bicycle shelter, children's playground area, electrical car charging stations, vehicle parking and new vehicle entrance off the Old Country Roadway.

Location: Kingswood Farm, Moneenalion Commons Lower, Clondalkin, Dublin 22

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 16-May-2022/31-Aug-2022,

Clarification of Additional Information Requested/Received: 27-Sep-2022 /23-Dec-2022

DECISION TO: Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, 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 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

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 condition(s) set out hereunder is thereby 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 as amended by Further Information received on 31/08/2022 and Clarification of Further Information received on 23/12/2022, 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. Ecology Monitoring Including Bat Monitoring.
A bat monitoring programme shall be undertaken. This monitoring programme is to include a survey for bats across the site and in particular along the dark corridor of the river, for a period of 5 years from the date of commencement of development. This 5 year programme shall include one survey prior to development (including enabling operations) and is to cover a period that includes one survey during construction, and with at least 3 years post construction, the operating period. The objective of this programme is to assess any impacts on general ecology and bats in particular from the development, and to recommend any amendments during and after the programme to ensure the protection of protected species in particular. Each yearly survey shall be forwarded to the Planning Authority (SDCC Heritage Officer) on an annual basis.
REASON: In the interest of ecology and bat protection and in the interest of proper planning and sustainable development.

3. Parks and Landscaping Requirements.

1. Implementation of Landscape Masterplan

The landscaping scheme shown on drawing No. A.03.06.1 Site Layout Plan and associated plans shall be implemented in full, within the first planting season following completion of the development, in addition:

- a) All hard and soft landscape works shall be completed in full accordance with the submitted Landscape Masterplan (drawing No. A.03.06.1 Site Layout Plan).
- b) 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).
- c) 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.
- d) 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.

2. Retention of Landscape Architect

- i) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.
- ii) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.
- iii) Installation of attenuation tree pits shall be supervised by the project landscape architect.

3. Green Infrastructure Strategy

The submitted Green Infrastructure Strategy prepared by Cummins & Voortman Ltd shall be implemented in full by the applicant.

4. Landscape Management and Maintenance

The submitted Landscape and SUDS Management Plan contained within the submitted Landscape Architects Report shall be implemented in full by the applicant. The development shall be carried out in accordance with the submitted Landscape and SUDS Management Plan. The landscape management plan shall be carried out as approved.

5. SUDS Implementation

Prior to the occupation of the buildings the submitted SuDS scheme shall be implemented within a timescale to be agreed and approved by the Planning Authority and thereafter managed and maintained in accordance with the approved details and submitted management and maintenance plan.

6. Ecological Impact Assessment Report

The recommendations and mitigation measures contained within the Ecological Impact Assessment Report prepared by Panther Environmental Solutions shall be implemented in full by the applicant.

7. Tree Condition

All recommendations of the Arborists report prepared by Veon Ltd shall be implemented. A site meeting between all relevant parties (Arborist, Landscape Architect, Foreman, Parks Dept., possibly Project manager) should be organized before the start of development on site to agree all matters. Only those trees and hedgerows detailed for removal on the Arborists plan, dwg “Tree Protection Plan”, submitted to the Planning Authority on 22/12/2022, shall be removed. All remaining trees on the site shall be retained and shall be protected from damage for the duration of the works on site, to the satisfaction of the Planning Authority in accordance with BS 5837: 2012. The cell-web no-dig paths shall be constructed in accordance with the standards in order to prevent damage to trees to be retained.

All existing trees/hedges to be retained shall be enclosed by stout protective fencing, as per the Arborists report, located at a suitable distance as detailed in BS: 5837 – 2012 - ‘Trees in Relation to Construction’. This protective fencing shall be erected before any materials are brought onto site and prior to the commencement of any works associated the proposed development. The protective fencing shall be maintained intact and in good order for the duration of the construction works. Any damage caused to the protective fence shall be repaired immediately.

No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the protective fence(s), nor shall any changes in ground level be made within the fence(s) unless previously agreed in writing by the Planning authority. In the event that trees become damaged or otherwise defective during construction period, South Dublin County Council shall be notified as soon as reasonably practicable and remedial action agreed and implemented at the developers own expense. Any necessary tree felling and surgery works shall be agreed on-site with South Dublin County Council prior to the commencement of the development.

The proposed location of the site compound, and the exact routes of all water mains, foul and surface water sewers shall be marked out on site, and agreed with South Dublin County Council prior to the commencement of any works on site, so as to minimise damage to trees which could result from excavation works, storage of materials and construction of temporary access roadway.

8. Retain Qualified Arborist

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 tree report. 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 Public Realm Section (for written agreement) upon completion of the works.

9. 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 €150, 802.07 (one hundred and fifty thousand eight hundred and two euros and seven cents) 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. The release of the bond will only be considered:

- i) Upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.
- ii) a minimum twelve months after the completion of all site works once it has been ascertained that all trees/hedgerows 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 and hedgerow protection. 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: 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 contained within the CDP 2022-2028. In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design. In the interest of tree protection and in the interest of proper planning and sustainable development of the area.

4. Public lighting

South Dublin County Council reserve the right to require the applicant to increase the brightness of the public lighting in secluded areas should such a need arise.

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

5. Drainage - Irish Water.

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

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

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

(d). The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(e). 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.

6. Aviation

The applicant shall engage with the Property Management Branch of the Department of Defence to undertake a preliminary screening assessment to confirm that the proposed development and any associated cranes that would be utilised during its construction would have no impact on the safety of flight operations at Casement Aerodrome.

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

7. 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.

8. 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.

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 requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

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.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014, the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

Pamela Hughes
for Senior Planner

30-Jan-2023

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

(A) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
 2. The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made.
where the application relates to unauthorised development €4,500.00 or €9,000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made.
other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b) €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal €110.00
 - (f) Appeal following a grant of leave to appeal €110.00
 - (g) Referral..... €220.00
 - (h) Reduced fee (payable by specified bodies)..... €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at

Telephone 01-858 8100