

CDP Architecture
4 The Mall
Main Street
Lucan
Co. Dublin

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

Final Grant Order No.:	0104	Date of Final Grant:	30-Jan-2023
Decision Order No.:	1537	Date of Decision:	05-Dec-2022
Register Reference:	SD22A/0388	Date:	11-Oct-2022

Applicant: Parkside Childcare Limited
Development: Stand-alone, portable drop in structure which can house new kitchen with adequate space for 3 staff members in the upper car park, this unit is 6m x 4m in size and can be moved if necessary.
Location: Parkside Childcare, Rear of 20 Fonthill Abbey, Ballyboden Road, Rathfarnham, Dublin 14

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.
The Water Services Department have concerns that the proposed development is located over an existing 375mm Surface Water sewer.

Prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

(i) a drawing in plan and cross-sectional view showing the setback distance from proposed development to existing 375mm surface water sewer. There shall be a minimum setback distance of 4m to the outside diameter of existing 375mm surface water sewer.

The disposal of surface water shall accord with the requirements of the Planning Authority as follows:

(a) The surface water generated by the development (roof and pavements) shall not be discharged to the sewer but shall be infiltrated locally, to a soakpit or similar. There shall be no overflow to the public network. The soakpit shall be designed to BRE Digest 365, shall be at a

min. 5m from the house and shall have no impact on neighbouring properties.

(b) If the applicant does not consider a soakpit a feasible solution, the applicant shall prove that by submitting a report signed by a Chartered Engineer, showing an infiltration test (with results, photos, etc), and shall propose an alternative SuDS measure for the written agreement of the Planning Authority thereafter for build-out

(c) Any changes to the parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SUDS) i.e. permeable surfacing. Where unbound material is proposed for hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath.

REASON: In accordance with GI4 Objective 1 of the County Development Plan 2022-2028 and the South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide.

3. Irish Water.

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

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

2. Foul

Prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

2.1 Submit a drawing showing a minimum setback distance of 3m to proposed development from existing 225mm foul sewer adjacent to same (Proposed development).

2.2 Alternatively submit a confirmation of feasibility letter from Irish Water for proposed development to Water Services in South Dublin County Council.

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

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

4. Prior to the commencement of the development, the applicant is to consult with Tusla Child and Family Agency in order to provide details of the proposed development. The Planning Authority should be notified when this correspondence takes place.

Reason: In the interest of public health and safety.

5. Roads.

1. Crane operations may require a permit if articles are being moved through a public area.

2. Operations to be carried out in line with all relevant HSA guidelines & regulations.

REASON: To ensure that the development is carried out with safety.

6. Permission

Permission is hereby granted for the temporary use of a single storey portable building for kitchen use of staff members only.

REASON: In the interest of clarity, consistency and the proper planning and sustainable development of the area.

7. Hours of operation

(a) Hours of operation shall be 7.30am to 6.30pm.

REASON: To limit the scale of the development and in the interest of residential amenity, and the proper planning and sustainable development of the area.

8. Permission is hereby granted for the temporary portable building for kitchen use and shall be for a period of 5 years only from the date of final grant of this permission. The temporary portable building shall be removed from the site on or before this date and shall be disposed of

in accordance with the Waste Management Regulations 2007, as amended, and the site fully re-instated.

REASON: To ensure that the development shall be in accordance with the permission, and that effective control of development be maintained.

9. 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.

10. 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.

11. 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.

12. Noise Tones During Evening and Night.

Clearly audible and impulsive tones at noise sensitive locations during evening and night time as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 (currently 19:00 – 07:00). shall be avoided irrespective of the noise level.

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.

- (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

31-Jan-2023
for Senior Planner