

BMA Planning  
Taney Hall  
Eglinton Terrace  
Dundrum  
Dublin 14

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

Final Grant Order No.:	<b>0158</b>	Date of Final Grant:	<b>14-Feb-2023</b>
Decision Order No.:	<b>0003</b>	Date of Decision:	<b>03-Jan-2023</b>
Register Reference:	<b>SD22A/0337</b>	Date:	<b>29-Nov-2022</b>

**Applicant:** Intrust Properties Company Limited by Guarantee  
**Development:** Subdivision of existing Unit 14 (2148sqm total floor area including mezzanine level) to create 2 units and all associated site and development works. The 2 proposed units are; Unit 14a (1541 sqm) with new mezzanine area and Unit 14b (996 sqm). Minor revisions to elevations comprising new access doors and a new window (mezzanine level) on the rear (north) elevation and a new escape door on front (south) elevation and associated signage on the north, south and west elevations comprising of 2 shopfront signs, 6 signage boards, 3 wall mounted signs and 2 service door signs.  
**Location:** Unit 14, The Retail Park Liffey Valley, Coldcut Road, Dublin 22

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

**Additional Information Requested/Received:** 12-Oct-2022, 16-Nov-2022 / 24-Oct-2022, 29-Nov-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 the 24th of October 2022 and Clarification of Further Information received on the 29th of November 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. Retail  
Prior to the occupation of each retail unit the applicant/developer shall submit, for the written agreement of the Planning Authority, details of the proposed range of goods to be sold within each unit. This information shall also detail in written form and delineated on floor plan(s) the retail floorspace dedicated to the sale of ancillary products.

REASON: In order to minimise potential impacts on central retail areas, in accordance with the South Dublin County Development Plan 2022-2028, Retail Planning Guidelines for Planning Authorities (2012) and the proper planning and sustainable development of the area.

3. Amendments.

Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the Planning Authority, revised elevational drawings that include the western sign permitted under SD19A/0078 & ABP Ref. PL06S.305228.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

4. Drainage

(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) 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.

5. Restrictions on Signage.

Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the development or within the curtilage of the site, unless authorised by a grant of planning permission.

REASON: To protect the visual amenities of the area and in the interest of the proper planning and sustainable development of the area.

6. Signage Not Internally Lit.

The proposed signage shall not be internally illuminated.

REASON: In the interest of residential amenity, and the proper planning and sustainable development of the area.

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.

#### 9. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €38, 417.64 (Thirty-eight thousand four hundred seventeen euros and sixty-four 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.

#### **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](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*

14-Feb-2023

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for Senior Planner