

**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>0185</b>	Date of Final Grant:	<b>20-Feb-2023</b>
Decision Order No.:	<b>0030</b>	Date of Decision:	<b>11-Jan-2023</b>
Register Reference:	<b>SD22A/0422</b>	Date:	<b>07-Nov-2022</b>

**Applicant:** Citywest Drive Limited Partnership

**Development:** Amendments to the residential development permitted under An Bord Pleanála Reference ABP-305556-19 comprising of the omission of a permitted vehicular access ramp from ground to basement level of the existing Citywest Shopping Centre along the southern elevation; The permitted entrance to the ramp is proposed to be replaced at surface level with 5 car parking spaces, with associated amendments to the parking layout, pedestrian paths and landscaping in the immediate vicinity; An increase in the area of a permitted surface to basement level circulation core in the south-eastern corner of the existing Citywest Shopping Centre (to incorporate a lift and revised stairwell design), together with associated amendments to pedestrian paths and landscaping in the immediate vicinity; The relocation of permitted demountable bollards further eastwards along a permitted roadway to the south-east of the Citywest Shopping Centre; The enlargement of a permitted hammerhead circulation area to the south-east of the Citywest Shopping Centre and the provision of a standalone ESB Substation to the south-east of Block D; These amendments are provided to reprove the operational efficiency of the vehicle circulation and parking arrangement to service the permitted apartment buildings and to meet the requirements of ESB to serve the site.

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

**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. Previous An Bord Pleanála Conditions.

The proposed development shall comply with all conditions of An Bord Pleanála decision Ref. ABP-305556-19, unless otherwise required by the conditions set out below.

REASON: In the interest of clarity.

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.

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. Drainage - Irish Water.

(a). Include SuDS (Sustainable Drainage Systems) such as green area, swales, permeable paving and other such SuDS

(b). The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

- (c). All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.
- (d). Where relevant prior to the commencement of development the applicant or developer shall enter into a water connection agreement(s) with Irish Water.
- (e). Where relevant prior to the commencement of development the applicant or developer shall enter into a wastewater connection agreement(s) with Irish Water.
- (f). The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
- (g). 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. Landscape Plan

Prior to commencement of development the applicant shall submit a landscape plan to the Planning Authority for written approval. In addition to the Landscape Plan, the applicant should provide a fully detailed planting plan with full works specification. The planting plan/schedule should provide the following information:

- name of plants and or trees to be planted (both English & Latin names)
- number of plants in each specific planted area (or location and number of trees)
- size of plants/trees to be planted, whether bare-root or container grown
- density of plants to be planted – how many plants per m<sup>2</sup> of planted area
- Implementation timetables

REASON: In the interests of visual amenity and to ensure the provision, establishment and maintenance of a reasonable standard of landscape, in accordance with relevant policies and objectives contained within the current County Development Plan 2022-2028.

### 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*

20-Feb-2023

for Senior Planner