

**An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department**

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

Final Grant Order No.:	<b>0112</b>	Date of Final Grant:	<b>28-Jan-2022</b>
Decision Order No.:	<b>1581</b>	Date of Decision:	<b>13-Dec-2021</b>
Register Reference:	<b>SD21A/0195</b>	Date:	<b>22-Nov-2021</b>

**Applicant:** John & Lynn O'Dwyer

**Development:** Increase in the permissible number of children attending from a daily total of 42 to 56 at any one time at the existing childcare facility from that approved in previous planning ref. SD11A/0278 and extended & amended by ref. SD16A/0343; 2 additional carparking spaces on site; no additional construction work is proposed.

**Location:** Sunflowers, Ballyowen Lane, Lucan, Co. Dublin

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

**Additional Information Requested/Received:** 07-Sep-2021/07-Oct-2021, 04-Nov-2021/22-Nov-2021

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 7th October 2021, Clarification of Further Information received on 22nd November 2021, 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. Roads and Traffic Safety
  - (i) Prior to the commencement of development, the applicant shall submit the following to the Planning Authority for written agreement:
    - (a) A Mobility Management Plan demonstrating the management of drop offs and pick-ups from the facility.
  - (ii) Any gates shall open inwards and not out over the public domain.

REASON: In the interests of sustainable transport and the proper planning and sustainable development.

3. Number of Children.

The numbers of children attending the creche facility at any one time shall be restricted to 56 children.

REASON: In the interests of clarity, traffic management and the proper planning and sustainable development of the area.

4. Number of Staff.

The number of staff shall be limited to 10 full time and 7 part time staff, with never more than 10 on site at any one time.

REASON: In the interests of traffic management.

5. Hours of Operation.

Hours of Operation: The proposed development shall be operated only between the hours of 07:30 and 18:30 daily. Furthermore, there shall be a minimum of 30 minutes between the morning and afternoon sessions, to ensure adequate traffic management.

REASON: In the interest of compliance with the parent permission.

6. 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.

7. 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: 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 is advised to ascertain and comply with the requirements of Tusla, the Child and Family Agency, in relation to matters such as floorspace, playspace and staff/child ratios, etc.

- (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.

 31-Jan-2022  
for Senior Planner