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DH

3rd February 2023

Planning Registry, LUPT,
South Dublin County Council,
County Hall,
Tallaght,
Dublin 24

Issued Via Email to planningdept@sdblincoco.ie

Planning Reference – **SD22A/0311**

Re: Response to Planning Conditions in respect of Final Grant of Permission,

Dear Sir/Madam,

In response to the **9no.** conditions listed under the Final Grant of Permission for amendments to the development permitted under Reg Ref.: SD18A/0301 for the construction of a two data storage facility, please see below and enclosed response to conditions **1, 2, 4, 5, 6, 8, 9 Responses to conditions 3 and 7 to follow under separate cover.**

Condition Number	Condition Sub Section	Condition Text/Response Text
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.
	Response:	Noted

2		Parent Permission All conditions attached to the permission granted under Reg. Ref. SD18A/0301, to which this application will have the effect of creating modifications to, shall apply, save as may be required by the other conditions attached hereto.
	Reason:	To ensure that the development shall be in accordance with the previous permission.
	Response:	Noted. Response to conditions attached to the permission granted under Reg. Ref. SD18A/0301 are being submitted under separate cover.

4		Charging of Electric Vehicles The applicant will ensure that no fewer than 20% of the total number of car parking spaces onsite make provision for the charging of electric vehicles.
	Reason:	In the interest of sustainable transport and in the interests of proper planning and sustainable development
	Response:	Noted

5		Implementation of Landscape Plans
	(a)	Prior to the commencement of development the applicant/developer shall submit revised Landscape Plans for the written agreement of the Planning Authority, following consultation with SDCC's Public Realm Section and Heritage Officer if needed, showing

Directors: David Petherbridge, Ronan Smith, Geert Douterlungne, David Browne, Pat Carney, John Hanley, Derek Heavey, Paul Davey, Denis Brereton, Ger Dunne, Gopal Naidoo, Amy Gargan, Vicky Landy.

Associates: Donal Murphy, Jim Sullivan, Sean Hogan, Carol Spollen, Kevin Maguire, Tony Fennessy, Danielle Broe Fox, Szymon Krawczewski, Eugene McMahon, Cathal McGeown, Eimear Slattery, Barry McNamara, Niamh Burke, Paul Foley, Conor Murphy, Jonathan Walsh, Nuala Treacy, Jim Byrne, Brian Cooke, Phillip Volschenk, Harry Browne, Séamus Guidera, Matteo D'Angelo, Stephen Doonan, Deborah Moynihan, Michael Cunningham, Damien O'Neill. **Marketing Director:** Barra Heavey.

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		the trees along the southern boundary indicated for protection under the Tree Protection Plan as protected and enhanced with further planting. The landscaping along the eastern boundary shall be amended to include further planting to enhance the existing hedgerow and mitigate for the previous loss of hedgerow along the boundary.
5	(b)	The Landscape Plans approved under (a) above shall be implemented in full, within the first planting season following completion of the development (completion of works on site) or following completion of each phase of the development if the development is phased.
5	(c)	All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan.
5	(d)	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).
5	(e)	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.
5	(f)	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
	Reason:	To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.
	Response:	
	(a)	Please refer Enclosed Drawing UNIT 4070 CITYWEST _ 2022 02 01 _ LANDSCAPE MASTER PLAN _ 20 12 2022.pdf
	(b)	Noted
	(c)	Noted
	(d)	Noted
	(e)	Noted
	(f)	Noted

6		<p>Landscaping Maintenance</p> <p>Prior to any occupation of the development, a scheme for the maintenance of the landscape scheme for the lifetime of the development shall be submitted to the Planning Authority for approval. All works shall be maintained in accordance with the agreed scheme.</p> <p>The scheme shall include the following:</p> <ul style="list-style-type: none"> i) methods for the proposed maintenance regime; ii) detailed schedule; iii) details of who will be responsible for the continuing implementation iv) details of any phasing arrangements
	Reason:	To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area
	Response:	Noted

8		<p>Tree Protection</p> <p>All tree protection measures outlined in the submitted Tree Report and associated Tree Protection Plan prepared by Arborist associates shall be implemented in full by the applicant. In addition, no development shall commence on site, including works of demolition or site clearance until:</p>
8	(a)	All trees to be retained shall be protected by secure, stout exclusion fencing erected at a minimum distance equivalent to the branch spread of the trees and in accordance with BS 5837 (2012) – Trees in Relation to Design, Demolition and Construction;
8	(b)	Any works within the branch spread of the trees shall be by hand only. No materials, supplies, plant or machinery shall be stored, parked or allowed access beneath the branch spread or within the exclusion fencing. Any trees that are damaged or felled during

		construction work must be replaced with semi mature trees of the same or similar species.
8	(c)	No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
8	(d)	Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority. REASON: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.
	Reason:	To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.
	Response:	Noted

9		Financial Contribution. The developer shall pay to the Planning Authority a financial contribution of €645,001.56 (Six hundred and forty five thousand and one euro and fifty six 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.
	Response:	Noted. Client will contact Development Contribution Section to arrange payment.

Yours sincerely,

David Hopkins

Enc.