

McArdle Doyle  
2nd Floor  
Exchange Building  
The Long Walk  
Dundalk  
Co. Louth

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

Final Grant Order No.:	<b>0342</b>	Date of Final Grant:	<b>31-Mar-2023</b>
Decision Order No.:	<b>0190</b>	Date of Decision:	<b>20-Feb-2023</b>
Register Reference:	<b>SD22A/0363</b>	Date:	<b>23-Jan-2023</b>

**Applicant:** Certas Energy Ireland Limited

**Development:** A new unmanned service station development consisting of construction of new petrol filling station forecourt with 4 dispensers, 2 underground fuel storage tanks with canopy structure (covering c. 235sq.m and 6.2m in height) with associated signage; Widen existing site entrance to the north-east of the site and creation of new egress location onto the Fonthill Road along the northern boundary to allow one-way internal road network incorporating new pedestrian crossing over existing footpath at site egress location; Automatic brush car wash and adjoining jet car wash with water recycling system; Single storey services building structure comprising of a car wash plant room and comms room area (gross floor area 16.3sq.m.) ; 4 electric charging bays, each comprising of a parking space and electric vehicle charging unit and associated signage; 3-room ESB substation to cater for EV charging infrastructure (gross floor area 38.3sq.m.); Air/Water services area with 2 car parking spaces; 2 internally illuminated double-sided totem signs, 1 at site entrance (4m high x 1.91m wide) with advertising area 15.3sq.m and 1 adjacent the new site egress location (5.8m high x 1.91m wide) with advertising area 22.16sq.m; All other associated underground and overground infrastructure, drainage, lighting, CCTV unmanned systems, landscaping and site development works.

**Location:** Fonthill Road, Liffey Valley, Clondalkin, Dublin 22

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

**Additional Information Requested/Received:** 14-Nov-2022 / 23-Jan-2023

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 23rd January 2023, 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 - Irish Water.

(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.

(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.

3. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water. All development shall be carried out in compliance with Irish Water Standards codes and practices.

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

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

4. (i) Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened entrance.

(ii) The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, to improve forward visibility for vehicles.

(iii) The level of illumination of the lighting for the signs shall be reviewable at any time by the Roads Department in the interests of traffic safety, and adjustments shall be made by the applicant at their own expense if required to do so by South Dublin County Council.

(iv) Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

5. 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. A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

6. 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.

7. (i) A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.  
(ii) The applicant shall put in place a pest control contract for the site for the duration of the construction works.  
(iii) The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.  
(iv) Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.  
(v) Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.

#### 8. Public Realm Lighting Scheme.

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

A Public Realm Lighting Scheme for the public realm of the development as approved, designed to provide for high quality public lighting throughout the public realm of the site, prepared by competent a public lighting design consultant.

In addition, the applicant shall ensure that the Public Realm Lighting scheme shall be designed to minimise potential glare and light spillage and shall be positioned and/or cowled away from residential properties, public roads and any bat roosts or areas with bat activity. The Public

Realm Lighting Scheme should also have regard to the landscaping requirements for the site to avoid root or crown spread from any existing or proposed tree. Any adjustments deemed necessary in this respect by the Council shall be carried out by the applicant, owner or developer at their own expense

REASON: In the interests of public health and safety, the orderly development of the site, amenity, and to prevent light pollution and in the interests of the proper planning and sustainable development of the area.

9. 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.

10. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €6, 146.32 (Six Thousand, One Hundred and Forty Six Euro and Thirty Two Cent), 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.

- (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* Dated : 31-Mar-2023  
for Senior Planner