

# Comhairle Chontae Atha Cliath Theas

PR/0479/23

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0398      **Application Date:** 24-Oct-2022  
**Submission Type:** Additional      **Registration Date:** 13-Apr-2023  
Information

**Correspondence Name and Address:** BMA Planning Taney Hall, Eglington Terrace,  
Dundrum, Dublin 14

**Proposed Development:** Construction of a three storey creche and community centre facility of 1, 610sq.m gross floor area with associated external play area; car & cycle parking, hard and soft landscaping, bin storage, a revised layout to the northern edge of Cuil Duin Avenue to accommodate access to the proposed development including amendments to the existing footpath and cycle track and provision of set down car parking spaces and all associated site and development works.

**Location:** On lands at Cuil Duin Avenue, Citywest, Co. Dublin  
**Applicant Name:** Greenacre Residential DAC  
**Application Type:** Permission

(CS)

### **Description of Site and Surroundings**

Site Area: 0.3 hectares.

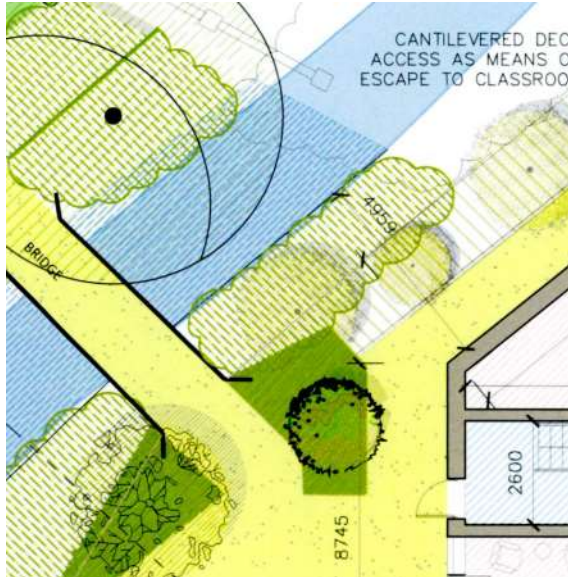
#### Site Description

The subject site is centrally located within the established Citywest neighbourhood and will form a nodal point of the Cuil Duin community to the east and south, Citywest & Saggart National school to the north and the partially complete Parklands residential development to the west. There is a nursing home and medical centre located to the north-east of the subject site. The site is currently vacant with no existing structures. There is an existing stream located to the north-west of the subject site situated c.5metres from the footprint of the proposed development at its closest point at the south-west corner of the proposed building.

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### Proposal

The proposed development consists of the following:

- **Construction of a three storey creche** (ground floor – 613sq.m.) **and community centre facility** (first and second floor – 997sq.m.) of 1,610sq.m gross floor area with associated external play area;
- Car & cycle parking, hard and soft landscaping, bin storage, a revised layout to the northern edge of Cuil Duin Avenue to accommodate access to the proposed development including amendments to the existing footpath and cycle track.
- Provision of set down car parking spaces and all associated site and development works.
- Proposed development 1610sq.m.

### Zoning

The site is subject to land-use zoning objective – ‘RES-N’ – *‘To provide for new residential communities in accordance with approved area plans’*.

### Consultations

Surface Water Drainage – **Additional Information** recommended.

Parks Department – **Additional Information** recommended.

Roads Department – **Additional Information** recommended.

Irish Water – no objections subject to **conditions**.

Environmental Health Officer – Acceptable subject to **conditions**.

TUSLA – no report received

Department of Defence – no report received

### Screening for Strategic Environmental Assessment

Overlap indicated with the relevant environmental layers below:

- SFRA A 2016
- SFRA B 2016

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### Submissions/Observations /Representations

4 no. submissions received. 1 no. submission is in support of the proposal and 3 no. submissions are in objection to the proposal.

Concerns raised relate to the following:

- Proposed development is located in close proximity to a school (Citywest & Saggart National school) where there are already problems with parking for school drop offs.
- Increased traffic volumes would lead to further congestion and present problems for access into neighbouring residential estates.
- Only 13 no. car parking spaces and 4 no. set down only spaces proposed for a three storey building.
- No consultation with the community.
- Adverse impact on privacy.
- There is already a creche located locally and a second creche is not necessary.
- Adverse environmental impact on nearby stream alongside proposed development.
- Construction is currently underway for a new community centre located at the site of the old St Marys National School in Saggart therefore a second community is not merited.

Support relates to the following:

- The proposal is great considering the area is only serviced by a very limited number of creches with some of them having a waiting list of up to two years.
- The area is newly built, and a community centre is needed.

The objection/s and submission/s lodged with the application have been considered in the overall assessment of the development

### Relevant Planning History

**SD14A/0121:** Cooldown Commons, Fortunestown Lane, Dublin 24.

224 no. 2 and 3 storey houses (84 no. 2 bed houses, 104 no. 3 bed houses and 36 no. 4 bed houses) including 397 car parking spaces; a two storey standalone creche (totalling 520sq.m. gross floor area) including 17 car parking spaces; landscaping works including a neighbourhood park with children's play area, private gardens, boundary treatments, internal access roads, ESB substation, bin storage areas and all associated site and development works; development of part of Citywest Avenue (previously approved under Reg. Ref. SD04A/0099) located at the southern boundary of the current application site; access to the development is proposed from Citywest Avenue and from Fortunestown Lane via the existing access road and roundabout located to the west of the site.

Decision: **GRANT PERMISSION.**

Appealed to ABP as per PL06S.244164: **Appeal Declared Withdrawn.**

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**SD06A/0933:** Cooldown Commons, Fortunestown Lane, Dublin 24.

Standalone 2 storey creche facility (totaling 568sq.m. gross floor area) and 293no. residential units comprising the following: 9 no. 5 bed detached 3 storey units, 34 no. 4 bed semi-detached 3 storey units, 40 no. 3 bed semi-detached 3 storey units, 14 no. 3 bed 3 storey townhouses, 54 no. 3 bed duplex units with 54 no. 2 bed duplex units over in 9 no. 4 storey blocks, 44 no. 2 bed apartments with 14 no. 3 bed duplex apartments and 6 no. 3 bed apartments over in 2 no. 5 storey blocks and 18 no. 2 bed apartments with 6 no. 3 bed duplex apartments over in 1 no. 5 storey block. Permission is also sought for 501 no. car parking spaces (369 surface parking spaces and 132 basement car parking spaces), children's play areas, ESB substations and landscaping works including formal landscaped areas adjacent to the Boherboy Stream, boundary treatments, internal access roads and roundabout connecting to the existing roundabout on Fortunestown Lane and all associated site development works.

Decision: **GRANT PERMISSION.**

**SD06A/0349:** Cooldown Commons, Fortunestown Lane, Dublin 24.

The development consists of the construction of 180 no residential units as follows; 5 no. 5 bed detached units (3 storey), 7 no. 4 bed detached units (3 storey), 26 no. 4 bed semi-detached units (2 storey), 3 no. detached 3 bed units (3 storey), 26 no. 3 bed semi-detached units (3 storey), 6 no. 3 bed townhouses (2 storey), 7 no. 2 bed townhouses (2 storey), 22 no. 3 bed duplex units (4 storey), 42 no. 2 bed duplex units (4 storey), 32 no. 2 bed apartments (5 storey), 4 no. 3 bed apartments (5 storey). Permission is also sought for 307 no. car parking spaces at grade, site development works, ESB substation and landscaping works including formal landscaped areas, children's play areas, boundary treatments and internal access road connecting to the existing roundabout on Fortunestown Lane.

Decision: **REFUSE PERMISSION.**

### **Pre-Planning Consultation**

None recorded for this development.

### **Relevant Policy in South Dublin County Council Development Plan 2022-2028**

*Section 12.8 Community Infrastructure & Open Space*

*Section 12.8.1 Community Centres*

*Section 8.9 Early Childhood Care and Education Facilities*

*Section 8.5 Community Centres*

*COS7 Objective 6:*

*To support the provision of childcare facilities within or co-located with community buildings, such as community centres and schools*

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*COS3 SLO 2:*

*To deliver a community centre / community facilities within Citywest as part of the delivery of infrastructure identified in the Fortunestown Local Area Plan.*

*Policy COS3: Community Centres.*

*Ensure that communities across the county have access to multifunctional and intergenerational community centres that provide a focal point for community activities.*

*COS2 SLO 1:*

*That Citywest / Fortunestown areas are provided (from within their own community) public, purpose built and suitable amenities including:*

- *Library;*
- ***Community centre** and a community café;*
- *Accessible playgrounds / playspaces, teenspaces and youth amenities (such as a skate park);*
- *Designed green spaces including a managed public park with adequate, accessible public seating and that can host festivals and community events;*
- *Greater biodiversity in the area and more tree coverage;*
- *Adequate numbers of pitches and clubhouses / pavilions for sports;*
- *Adequate public childcare and afterschool facilities;*
- *School sites.*

*Section 8.4.3 Universally Accessible Social/Community Facilities*

*Section 8.4.1 Social/Community Infrastructure*

*Chapter 4 Green Infrastructure*

*Policy GII Overarching*

*GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.*

*Policy GI2 Biodiversity*

*GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.*

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### *Policy GI4 Sustainable Drainage Systems*

*GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

### *Chapter 7 Sustainable Movement*

#### *Section 7.10 Car Parking*

#### *Policy SM7 Car Parking and EV Charging*

*SM7 Objective 1 Maximum car parking standards*

### *Chapter 8 Community Infrastructure and Open Space*

#### *Section 8.4.3 Universally Accessible Social / Community Facilities*

#### *Policy COS2: Social / Community Infrastructure*

#### *Section 8.9 Early Childhood Care and Education Facilities*

#### *Policy COS7: Childcare Facilities*

*Support and facilitate the provision of good quality and accessible childcare facilities at suitable locations within the County in consultation with the County Childcare Committee.*

#### *COS7 Objective 1:*

*To support and facilitate the provision of childcare facilities on well-located sites within or close to existing built-up areas, including adjacent to school sites, and within employment areas where the environment is appropriate, making provision to encourage sustainable transport, consistent with NPO 31 of the NPF.*

#### *COS7 Objective 5:*

*To support the provision of small-scale childcare facilities in residential areas subject to appropriate safeguards to protect the amenities of the area, having regard to noise pollution and traffic and parking management*

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*COS7 Objective 6:*

*To support the provision of childcare facilities within or co-located with community buildings, such as community centres and schools.*

*Chapter 10 Energy*

*Section 10.2 Energy Measures*

*Policy E3 Energy Performance in Existing and New Buildings*

*Chapter 12 Implementation & Monitoring*

*Section 12.3 Natural, Cultural and Built Heritage*

*Section 12.3.1 Appropriate Assessment*

*Section 12.3.3 Environmental Impact Assessment*

### **Relevant Government Guidelines**

*Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.*

*Circular letter PL 3/2016 Re: Childcare Facilities operating under the Early Childcare and Education (ECCE) scheme, Department of the Environment, Community and Local Government (2016).*

*Childcare Facilities Guidelines, Department of Environment, Heritage and Local Government (2001)*

*We like this Place - Guidelines for Best Practice in the Design of Childcare Facilities Dept Justice, Equality and Law Reform (2002)*

*Child Care (Pre-School Services) (No 2) Regulations 2006 (as amended), Department of Health & Children.*

### **Assessment**

The main issues for assessment are

- Zoning and Council policy;
- Childcare facility and residential amenity;
- Visual Impact & Design;
- Access and Parking;
- Landscaping;
- Environmental Health;
- Services & Drainage;
- Aviation
- Screening for Appropriate Assessment (AA).
- Screening for Environmental Impact Assessment (EIAR);



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### ***Zoning and Council Policy***

The site is zoned objective 'RES-N' *'To provide for new residential communities in accordance with approved area plans.'*

Childcare Facilities and Community Centre are Permitted In Principle under Zoning Objective 'RES-N'. The proposal is considered generally to be acceptable in principle subject to compliance with SDCC Development Plan 2022-2028 policies and objectives.

### **Childcare Facilities**

Policy COS7 of the South Dublin County Development Plan 2022-2028 states that is it policy to:

*'Support and facilitate the provision of good quality and accessible childcare facilities at suitable locations within the County in consultation with the County Childcare Committee'.*

The following objectives of the Development Plan are of relevance to the subject application:

#### *'COS7 Objective 1:*

*To support and facilitate the provision of childcare facilities on well-located sites within or close to existing built-up areas, including adjacent to school sites, and within employment areas where the environment is appropriate, making provision to encourage sustainable transport, consistent with NPO 31 of the NPF'.*

#### *COS7 Objective 5:*

*To support the provision of small-scale childcare facilities in residential area subject to appropriate safeguards to protect the amenities of the area, having regard to noise pollution and traffic and parking management*

#### *COS7 Objective 6:*

*To support the provision of childcare facilities within or co-located with community buildings, such as community centres and schools'.*

### **Community Centre**

Policy COS3 SLO 2 of the South Dublin County Development Plan 2022-2028 states that is it policy to:

*To deliver a community centre / community facilities within Citywest as part of the delivery of infrastructure identified in the Fortunestown Local Area Plan.*

It is noted that the site is located within the Fortunestown Local Area Plan (LAP) however this LAP has now expired (expired on 13<sup>th</sup> May 2022).

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The following objectives of the Development Plan are of relevance to the subject application:

*COS7 Objective 6:*

*To support the provision of childcare facilities within or co-located with community buildings, such as community centres and schools*

*COS2 SLO 1:*

*That Citywest / Fortunestown areas are provided (from within their own community) public, purpose built and suitable amenities including:*

- *Library;*
- *Community centre and a community café;*
- *Accessible playgrounds / playspaces, teenspaces and youth amenities (such as a skate park);*
- *Designed green spaces including a managed public park with adequate, accessible public seating and that can host festivals and community events;*
- *Greater biodiversity in the area and more tree coverage;*
- *Adequate numbers of pitches and clubhouses / pavilions for sports;*
- *Adequate public childcare and afterschool facilities;*
- *School sites.*

Having regard to the above outlined objectives and the proximity of the subject site to local schools, residential dwellings and community facilities, the proposal is considered acceptable in principle. A full assessment is carried out below in order to ascertain compliance with the relevant policies, standards and requirements of the Development Plan and Government Childcare Guidelines.

### Childcare Facilities

Section 12.8.4 of the Development Plan outlines the following details to be included in Planning Applications for Childcare and early educational facilities:

*‘Planning applications for childcare and early educational facilities should include full details in order to allow understanding of the nature and extent of the proposed development. Planning applications will be assessed on the basis of the following factors:*

- *Nature of the facility (full day care, sessional, after school, and so on);*
- *Number of children to be catered for;*
- *Number of full-time and part-time staff;*
- *Intended hours of operation;*

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- *Impact on residential amenity, taking into account factors such as noise, traffic and parking;*
- *Suitability of the site for the type and size of facility proposed;*
- *Availability of indoor and outdoor play space;*
- *Accessibility to public transport, walking and cycling routes;*
- *Local traffic conditions;*
- *Access, car parking and drop off facilities for staff and customers'.*

It is noted that the Cover Letter provided by the Applicant indicates that there will be **125 children** to attend the childcare facility, however the number of staff for the proposed childcare facility is not stated. The exact days and hours of operation of the facility are not stated. The Applicant should be requested by way of **Additional Information** to confirm the no. of staff and the exact days and hours of operation of the childcare facility.

The applicant is also requested to submit the following information by way of **additional information** regarding details of morning/afternoon sessions (where applicable), details of the indoor and outdoor play spaces, public transport accessibility, walking and cycling routes, and car parking and drop off arrangements for staff and customers, to facilitate a complete assessment of the proposed Childcare Facility.

As per Departmental Circular PL 3/2016 'Childcare facilities operating under the Early Childhood Care and Education (ECCE) Scheme', the contents of Appendix 1 of the 2001 Childcare Guidelines have not been taken into account in the assessment of this application. The Child and Family Agency, also known as Tusla, is responsible for inspecting pre-school services under, and enforcing compliance with the 2001 and 2006 Childcare (Pre-School Facilities) Regulations.

The proposal is acceptable subject to assessment of car parking provision in the area.

### ***Visual Impact & Design***

The proposal is a three storey building (at ground level) whereby the ground floor will contain a creche (613sq.m.) and the first and second floors (997sq.m.) will contain a community centre. The building footprint will be triangular (at ground floor) in nature and will be designed in such an away to address the constraints of the site. The proposal will have a flat parapet roof with a parapet height of c.10.8m. A childcare facility (creche) was previously permitted on the same site as per reg. ref. SD14A/0121. That permission was for a two storey building whereas the current application (SD22A/0398) is for a three storey building. The proposed development responds to the site constraints in a similar manner to that of previously permitted SD14A/0121.

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The proposed dual use building now designed as a three storey building will be L-shaped at first and second floor (where the community centre will be located) to address the principle street/adjacent buildings. A west facing external roof deck with green roof at first floor level will provide for recreational use for community groups.

Regarding elevational treatment a contemporary palette of materials are proposed, and the applicant has submitted proposed CGIs (Computer Generated Images) which integrate well with the character of the area and address the street in a positive manner. However, a separation distance of only c.20.5m will be provided for between directly opposing above ground floor windows on the southern elevation whereby the proposed development would face directly onto the existing houses on Cuil Duin Avenue. To comply with the SDCC Development Plan 2022-2028 (Sc.12.6.7 Residential Standards, Separation Distances and Block Layout) a separation distance of 22 metres should be provided for all residential developments between directly opposing above ground floor windows. Notwithstanding this as the proposal is not a residential development and existing residents in Cuil Duinn Avenue would be expected to have reasonable levels of privacy with the proposed development this shortfall in separation distance would be acceptable in this instance.

The proposal includes for a direct connection to a 30sq.m. pocket park which will be accessed via a pedestrian foot bridge over the existing stream. However, the Planning Authority have serious concerns regarding the footprint of the proposed development being located c.5 metres from the adjacent watercourse which runs along the north-west of the subject site. *Section 12.4.3 Riparian Corridors* of the SDCC Development Plan 2022-2028 states that Development within or affecting riparian corridors will be required to:

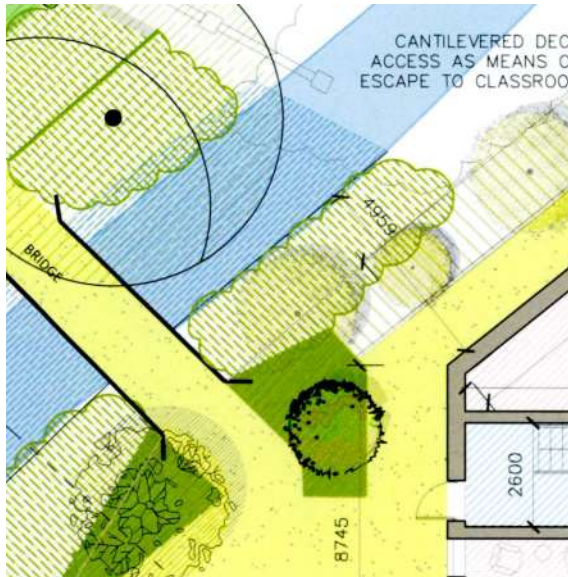
*Promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site. **This is a minimum** and should be considered in light of the bullet points above.*

The applicant should be requested to address the shortfall in setback by way of **additional information** and submit revised drawings re-siting the proposal and pulling the proposed structure back to a minimum of 10 metres from the adjacent stream. The applicant should also provide for appropriate landscaping and planting for biodiversity within the 10 metre buffer zone.

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### ***Access and Parking***

The Roads Department has issued a report recommending **Additional information** be requested or **conditions** to be attached in the event of a grant.

An extract taken from the Roads report states the following:

*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.*

### **Description**

*Construction of a three storey creche and community centre facility of 1, 610sq.m gross floor area.*

### **Access & Roads Layout:**

*The vehicle is from Cuil Duin Avenue and is 6.0m wide with adequate sight lines for a 30kmph road. The access road is 6.0m wide to allow for reversing from parking spaces. There is a turning point for cars, however it is not clear if fire tenders or refuse collection vehicles can gain access, an Autotrack detailing this should be supplied.*

### **Permeability:**

*There is adequate pedestrian and bicycle access to the development. However, there is limited designated walking space along the car parking area between the parking spaces and the east side of the building.*

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### Car Parking:

*The amount of parking spaces proposed is 11no. in total for the development. 5 no. for the creche and 6 for the community centre. There are 4 no. set down spaces at the front of the development. The parking provision is very low for the community centre considering the CDP requires the following:*

*Creche with 9 no. class rooms would have 0.5 per room equating to 5 no. spaces.  
Community centre 1 per 50m<sup>2</sup> is 21no. spaces.*

*The applicant suggests that the crèche space will become available in the evenings and weekends for the community centre.*

### Bicycle Parking:

*The provision of bicycle parking is 58no. consisting of 48 short term and 10 no long-term spaces. The CDP standard is 13 short and 10 long term spaces.*

### Taking in Charge:

*No areas for TIC are proposed. Details of the road construction have been included and are sufficient.*

*Roads recommend that **additional information** be requested from the applicant:*

- 1. The applicant is requested to submit a revised layout showing details of the pedestrian routes within the development along the car park area.*
- 2. The applicant shall submit a revised layout of not less than 1:200 scale, showing a swept path analysis drawing (i.e., Autotrack or similar) demonstrating that fire tenders and large refuse vehicles can access/egress the site.*

*Should the permission be granted, the following **conditions** are suggested:*

- 1. A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.  
REASON: In the interest of sustainable transport.*
- 2. Prior to commencement a Public Lighting Design for the development must be submitted and agreed by the South Dublin County Council Lighting Department.*
- 3. Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority*
- 4. Prior to commencement of development, the applicant shall submit the Construction Traffic Management Plan for the written agreement of the Planning Authority.*

Having regard to the Roads report it is considered appropriate to request the above **Additional Information**.

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### ***Landscaping***

The Parks Department have issued a report recommending **Additional Information**. An extract taken from the Parks report states the following:

*The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:*

#### *1. Implementation of Landscape Plan*

*The landscape Plan shall be implemented in full, within the first planting season following completion of the development, in addition:*

- a) All hard and soft landscape works shall be completed in full accordance with the submitted Landscape Masterplan (Dwg. No. PP381-01-01)*
- b) 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).*
- c) 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".*
- d) 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 satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives of the CDP 2022-2028.*

#### *2. Retention of Landscape Architect*

- i) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.*
  - ii) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.*
  - iii) Installation of attenuation tree pits shall be supervised by the project landscape architect.*
- REASON: In the interests of residential and visual amenity and to ensure full and verifiable implementation of the approved landscape design.*

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### 3. *Green Infrastructure and Green Space Factor (GSF)*

*The applicant shall submit the following information relation to Green Infrastructure and the Green Space Factor in accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 - 2028:*

*(a) To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network.*

*(b) To demonstrate how the appropriate Greening Factor will be achieved for the relevant land use zoning objective. See link to the Green Space Factor Worksheet: Related Documents - SDCC REASON: In the interests of the amenity and environmental quality of the locality and to assimilate the development into its surroundings, in accordance with policy GI5 Objective 4 and other relevant policies relating to GI within the CDP 2022-2028.*

### 4. *Green Space Factor (Minimum Score Not Achieved)*

*In cases where proposed development does not meet the minimum required score and the Council agree that the minimum score is not achievable on the site; the Council will engage with the applicant to help determine an alternative GI solution, to ensure that the proposed development does not detract from the local environment and makes a positive contribution to local GI provision. Where site-specific constraints do not allow for adequate landscaping features in line with minimum requirements a developer will be permitted to provide alternative GI interventions or contributions to make up for this shortcoming, see below. Those GI measures ultimately chosen will be dictated by the site-specific context and will be subject to agreement with Council. The applicant shall therefore contact the Public Realm Section to agree alternative GI interventions or contributions to make up for this shortcoming.*

*REASON: Ensuring that new development meets minimum standards for the provision of GI, in accordance with policy GI5 Objective 4 and other relevant policies of the CDP 2022-2028.*

### 5. *Tree and Hedgerow Protection*

*(i) To ensure the protection of trees to be retained within the site, the developer shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed on the submitted Tree Protection Plan. The arborist shall carry out a post construction tree survey on the condition of the retained trees. A completion certificate shall be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the Public Realm Section for written agreement upon completion of the works. The developer shall also be made aware of their obligations to constantly assess and survey the trees after construction because of the potential impact and the age/condition of these trees as outlined in the tree survey. Reason: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.*

*(ii) No drainage or service runs (including cables, pipes or similar services) shall be laid beneath the canopy of any tree identified for retention or within any fenced protection zone unless otherwise agreed in writing by the local planning authority.*



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(iii) *The applicant shall submit a detailed Tree Survey for the subject site*

*REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality and in accordance with relevant policies and objectives in the CDP 2022-2028.*

It is considered appropriate to request the above **additional information**.

### ***Environmental Health***

A report was received from the Environmental Health Officer (EHO) recommending the application to be acceptable subject to **conditions**. An extract taken from the EHO report states the following:

#### Decision:

*Noise pollution and air pollution restrictions will be necessary for the construction phase. The above proposal is acceptable to the Environmental Health Department subject to the following **conditions**:*

#### Construction Phase

##### *Noise*

*1. To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that :*

*The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours*

- *Before 07.00 hours on weekdays, Monday to Friday*
- *Before 09.00 hours on Saturdays.*
- *After 19.00 hours on weekdays, Monday to Friday.*
- *After 13.00 hours on Saturdays.*
- *Not permitted at any time on Sundays, Bank Holidays or Public Holidays.*

*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.*

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### *Air Quality*

*During the construction / 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. Reason: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinity.*

### *Notes to the Developer:*

*The applicant is strongly advised to consult with Tusla Child and Family Agency prior to the commencement of the development.*

It is considered appropriate to attach the above **conditions** in the event of a grant.

### ***Services & Drainage***

Surface Water Drainage have issued a report recommending **Additional Information** be requested. Irish Water have issued a report recommended no objections subject to **conditions**. An extract taken from the Surface Water Drainage report states the following:

*Surface Water Report:*                    ***Further Information*** required:

*1.1 The proposed attenuation provided of 21.1 m<sup>3</sup> is undersized by approximately 70%. The applicant is required to submit a revised drawing and report showing additional surface water attenuation provided by means of SuDS systems (Sustainable Drainage Systems). SuDS features could include but are not limited to:*

- Soakaway (Percolation test required)*
- Bioretention basin*
- Arched type attenuation system or equivalent*
- Other such SuDS*

*1.2 Prior to development, the applicant shall include additional SuDS features as part of the proposed development to deal with surface water discharge from the site. Submit a drawing and report detailing additional SuDS features. SuDS features could include but are not limited to:*

- Permeable paving*
- Planter box*
- Water Butts*
- Other such SuDS*

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*Flood Risk*

*No Objection*

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

*All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

It is considered appropriate to request the above information by way of **additional information**.

An extract taken from the Irish Water report states the following:

### *1 Water*

*1.1 Prior to commencement of development the applicant or developer shall enter into water connection agreement(s) with Irish Water.*

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

### *2 Foul*

*2.1 Prior to commencement of development the applicant or developer shall enter into wastewater connection agreement(s) with Irish Water.*

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

It is considered appropriate to attach the above **conditions** in the event of a grant.

### **Aviation**

Notwithstanding the fact that no report has been received from the Defence Forces, given the proposed development is located within the flight path, standard **conditions** regarding the appropriate use of cranes shall be attached in the event of a grant.

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### *Screening for Appropriate Assessment (AA)*

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of a house extension.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### *Screening for Environmental Impact Assessment (EIAR)*

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### **Other Issues**

#### *Development Contributions*

- Construction of community centre and childcare facility proposed development 1610sq.m.
- Assessable area is 1610sq.m.

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### Development Contributions

<b>Planning Reference Number</b>	SD22A/0398
<b>Summary of permission granted:</b>	1,690 sqm creche and community centre
<b>Are any exemptions applicable?</b>	No
<b>If yes, please specify:</b>	
<b>Is development commercial or residential?</b>	Commercial
<b>Standard rate applicable to development:</b>	98.76
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	98.76
<b>Area of Development (m2)</b>	1610
<b>Amount of Floor area, if any, exempt (m2)</b>	0
<b>Total area to which development contribution applies (m2)</b>	1610
<b>Vehicle display areas/ Open storage spaces</b>	0
<b>Rate applicable</b>	€0.00
<b>Contribution</b>	€0.00
<b>Total development contribution due</b>	€159,003.60

### *Strategic Environmental Assessment Monitoring*

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Childcare Facility/Community Centre	1610
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.3 hectares.

### Conclusion

Request **additional information** to clarify the following:

- Creche requirements.
- Roads requirements.
- Surface Water Drainage requirements.
- Parks Requirements.
- Redesign to provide for 10m setback from stream.

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### Recommendation

Additional information is requested.

(DF)

### **Additional Information**

- Additional Information was requested on the 09/12/2022.
- Additional Information was received by the planning authority on the 13/04/2023.

### **Consultations**

Surface Water Drainage – seeks **clarification of additional information**.

Parks Department – No objection, **subject to recommended conditions**.

Roads Department – No report received at the time of writing.

### **Submissions/Observations**

No further submissions/observations received.

### **Assessment of Further Information**

#### **Item 1 requested:**

- a) The applicant is requested to confirm the number of staff in total and the exact days and hours of operation.*
- b) The applicant is requested to submit details of morning/afternoon sessions (where applicable).*

#### The applicant's response to Item 1:

The agent acting on behalf of the applicant outlined in the additional information received that the days and hours of the proposed creche will operate Monday to Friday from 7:00am to 6:30pm. In addition, the applicant states that the staff numbers of the proposed crèche will be in accordance with the requirements of the Child Care Act 1991 (Early Years) Regulations 2016, further stating the *proposed creche will accommodate c.24no. staff. The proposed creche will provide a full day care service from 7:00am to 6:30pm each week day.*

#### Assessment:

In regard to the applicant's response to **Item 1**, the planning authority considers this acceptable. The applicant is strongly advised to consult with Tusla Child and Family Agency prior to the commencement of the development.

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### Item 2 requested:

- a) *The applicant is requested to submit a revised layout showing details of the pedestrian routes within the development along the car park area.*
- b) *The applicant is requested to submit a revised layout of not less than 1:200 scale, showing a swept path analysis drawing (i.e., Autotrack or similar) demonstrating that fire tenders and large refuse vehicles can access/egress the site.*

### The applicant's response to Item 2:

DBFL Consulting Engineers have provided a response to **Item 2** on behalf of the applicant.

### Assessment:

A report from the Roads Department was not received at the time of writing. Regarding the information submitted that responds to **Item 2**. In the absence of a report from the Roads Department, the planning authority has assessed the additional information and considered that **Item 2** has been addressed, subject to the recommended **conditions** outlined below.

1. *A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority. REASON: In the interest of sustainable transport.*
2. *Prior to commencement a Public Lighting Design for the development must be submitted and agreed by the South Dublin County Council Lighting Department.*
3. *Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority*
4. *Prior to commencement of development, the applicant shall submit the Construction Traffic Management Plan for the written agreement of the Planning Authority.*

### Item 3 requested:

- a) *The proposed attenuation provided of 21.1 m<sup>3</sup> is undersized by approximately 70%. The applicant is requested to submit a revised drawing and report showing additional surface water attenuation provided by means of SuDS systems (Sustainable Drainage Systems). SuDS features could include but are not limited to:*

- Soakaway (Percolation test required)*
- Bioretention basin*
- Arched type attenuation system or equivalent*
- Other such SuDS*

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The applicant's response to Item 3:

DBFL Consulting Engineers have provided a response to **Item 3** on behalf of the applicant.

Assessment:

Water Services have reviewed the additional information submitted and provided the following comments;

*1.1 The proposed attenuation provided of 21.1 m<sup>3</sup> is undersized by approximately 70%.*

*The calculations submitted are incomplete because the attenuation proposed be shared with another development.*

*Submit a report and drawing showing surface water attenuation calculations for proposed development and development where surface water attenuation proposed to share attenuation system.*

*The report shall show the areas of site of all development that will use surface water attenuation system. Also include the surface types and respective areas of same in m<sup>2</sup>. Show how much attenuation is provided and required for all sited used proposed attenuation system.*

**Prior to submission of revised document contact water services to discuss surface water network and attenuation required in m<sup>3</sup>.**

*Additional surface water attenuation shall be provided by means of SuDS systems (Sustainable Drainage Systems). SuDS features could include but are not limited to:*

- *Soakaway (Percolation test required)*
- *Bioretention basin*
- *Permeable paving*
- *Other such SuDS*

*1.2 All development shall have a minimum setback distance of 10m to the top of bank of adjacent stream on site. The setback distance of 10m must be taken from proposed cantilever edge and not the space underneath proposed cantilever.*

Flood Risk - No Objection

- *The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*
- *All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*



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Regarding the comments raised by Water Services, the imposition of related **conditions** is considered sufficient to address the above issues.

### **Item 4 requested:**

*The applicant is requested to submit the following:*

*1. Implementation of Landscape Plan*

*The landscape Plan shall be implemented in full, within the first planting season following completion of the development, in addition:*

- a) All hard and soft landscape works shall be completed in full accordance with the submitted Landscape Masterplan (Dwg. No. PP381-01-01)*
- b) 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).*
- c) 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.*
- d) 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*

*2. Retention of Landscape Architect*

- i. Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.*
- ii. A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.*
- iii. Installation of attenuation tree pits shall be supervised by the project landscape architect.*

*3. Green Infrastructure and Green Space Factor (GSF)*

*The applicant shall submit the following information relation to Green Infrastructure and the Green Space Factor in accordance with the quoted policies and sections of the South Dublin County Development Plan 2022 - 2028:*

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- a) *To demonstrate how they intend to reduce fragmentation of existing green infrastructure. The applicant should provide a green infrastructure plan showing connections through the site and connections to wider GI network.*
- b) *To demonstrate how the appropriate Greening Factor will be achieved for the relevant land use zoning objective. See link to the Green Space Factor Worksheet: Related Documents – SDCC*

### 4. *Green Space Factor (Minimum Score Not Achieved)*

*In cases where proposed development does not meet the minimum required score and the Council agree that the minimum score is not achievable on the site; the Council will engage with the applicant to help determine an alternative GI solution, to ensure that the proposed development does not detract from the local environment and makes a positive contribution to local GI provision. Where site-specific constraints do not allow for adequate landscaping features in line with minimum requirements a developer will be permitted to provide alternative GI interventions or contributions to make up for this shortcoming, see below. Those GI measures ultimately chosen will be dictated by the site-specific context and will be subject to agreement with Council. The applicant shall therefore contact the Public Realm Section to agree alternative GI interventions or contributions to make up for this shortcoming.*

### 5. *Tree and Hedgerow Protection*

- i. *To ensure the protection of trees to be retained within the site, the developer shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed on the submitted Tree Protection Plan. The arborist shall carry out a post construction tree survey on the condition of the retained trees. A completion certificate shall be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the Public Realm Section for written agreement upon completion of the works. The developer shall also be made aware of their obligations to constantly assess and survey the trees after construction because of the potential impact and the age/condition of these trees as outlined in the tree survey. Reason: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development.*
- ii. *No drainage or service runs (including cables, pipes or similar services) shall be laid beneath the canopy of any tree identified for retention or within any fenced protection zone unless otherwise agreed in writing by the local planning authority.*
- iii. *The applicant shall submit a detailed Tree Survey for the subject site*

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The applicant's response to Item 4:

Cunnane Stratton Reynolds have provided a response to **Item 4** on behalf of the applicant.

Assessment:

The Parks section have reviewed the additional information received and provided the following comments;

*The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2022 -2028 and with best practice guidelines and recommends the following **CONDITIONS** be applied:*

### **1. Implementation of Landscape Plan**

*The proposed landscaping scheme shown on Landscape Masterplan (Dwg. No. 22262-2-101) shall be implemented in full, within the first planting season following completion of the development, in addition:*

- a) All hard and soft landscape works shall be completed in full accordance with the submitted plans.*
- b) 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).*
- c) 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".*
- d) 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 satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within the CDP 2022-2028.*

### **2. Retention of Landscape Architect & Certificate of Effective Completion**

*The Landscape Architect shall be retained by the developer for the duration of the project, to pay periodic site visits to ensure that construction works will not compromise the agreed and approved landscape development, to ensure adequate protection of the existing trees approved for retention and to supervise the implementation of the landscape plans from start to finish.*

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*A certificate of effective completion for the agreed and approved landscape scheme shall be submitted to the Planning Authority upon completion of the landscape works, such certificate to be prepared by the qualified Landscape Architect for the project.*

*REASON: To ensure that the development achieves a high standard of design, layout and amenity and makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm in accordance with relevant policies in the CPD 2022-2028.*

### **3. Play Proposals**

*Prior to the commencement of Development, A detailed play strategy using Nature-based Solutions for the subject site to be submitted and agreed in writing with the Local Planning Authority. Such details shall comprise:*

- i. a specification of all play equipment to be installed including provision for children with disabilities and special sensory needs;*
- ii. a specification of the surface treatment within the play areas; and arrangements for ensuring the safety and security of children using the play areas.*

*All play equipment and ancillaries shall conform to European Standards EN 1176-1-11 and EN 1177 Playground equipment and surfacing, and to BS/EN standards 2017/18 for Playground Installations for HIC (Head Injury Criterion) and CFH (Critical Fall Height).*

*REASON: To ensure that the development makes appropriate provision for play and informal recreation in accordance with relevant policies in the CPD 2022-2028*

### **4. SUDS Management Plan**

*A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:*

- Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.*
- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development including drainage / attenuation calculations for same.*
- The applicant shall show further proposed SuDS features for the development such as green roofs, grass areas, channel rills, swales, permeable paving and other such SuDS and show what attenuation capacity is provided by such SuDS. Bio retention tree pits should be designed so that they enable tree pits to both support healthy tree growth while at the same time to help treat and attenuate water coming from hard landscaping areas.*

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- *Natural Suds measures should be detailed to remove/ reduce the requirement for underground attenuation tanks in line with the development plan objectives.*
- *Tree Pits to incorporate SuDS bioretention features and sufficient growing medium. SuDS details need to show how the water drains from the road/pavement hard surface into the SUDS tree pit, clearly outlining how SuDS features within the tree pits will function. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.*

*REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under the CDP 2022-2028.*

### **4. SuDS Implementation**

*The submitted SuDS scheme shall be implemented within a timescale to be agreed and approved by the Planning Authority and thereafter managed and maintained in accordance with the approved details.*

*REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with POLICY GI4: SUSTAINABLE DRAINAGE SYSTEMS of the CDP 2022-2028.*

The planning authority considers that **Item 4** has been addressed, subject to the recommended **conditions** outlined above.

### **Item 5 requested:**

*The Planning Authority has serious concerns regarding the footprint of the proposed development being located c.5 metres from the adjacent watercourse which runs along the north-west of the subject site. Section 12.4.3 Riparian Corridors of the SDCC Development Plan 2022-2028 states that Development within or affecting riparian corridors will be required to Promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site. This is a minimum and should be considered in light of the bullet points above.*

*Therefore, the applicant is requested to submit revised drawings re-siting the proposal and pulling the proposed structure back to a minimum of 10 metres from the adjacent stream. The applicant should also provide for appropriate landscaping and planting for biodiversity within the 10 metre buffer zone.*

### **The applicant's response to Item 5:**

The agent acting on behalf of the applicant provided the following written response to address **Item 5**;

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### **RFI 5: Riparian Corridor**

The applicant's design team has investigated the potential for relocating the proposed creche and community building to east and south to create a greater separation distance to the existing stream. It is noted that the extent to which the building can be relocated within the site is limited due the presence of a wayleave within the eastern third of the site. The design team are also eager to maintain the gross floor area of the proposed creche and community facility to ensure that these facilities are adequately sized to meet the needs of the established and emerging communities in Fortunestown.

The building as originally submitted provided for a separation distance of 5m to 8.1m from the stream. In response to this item, the design team has relocated the building c.300mm in an easterly direction and increased the separation distance from the top of the stream back to the proposed building to between 5m and 8.4m. The entrance area to proposed creche on the western façade of the building has been revised to provide a recessed area of 1.8m within the floor plan. This zone reduces the building footprint within this area of the site, stepping the building away from the riparian zone where possible in addition to the other measures outlined.

The proposed Site Layout Plan (Dwg. No. PA-001) is updated to illustrate the revised layout and this is enclosed. A Cross Section (Dwg. no. PA-304) through the adjoining stream and the proposed building has been prepared to illustrate the relationship and extent of the proposed riparian corridor being provided.

The external access running from northeast to southwest along the western façade of the proposed building is finished in decking material, which is both porous and cantilevered to provide additional space below for planting and to maintain the full extent of the separation distance between the proposed building and the stream. The creche entrance area and bridge crossing to the amenity space also comprises lightweight wooden deck structures which will further reduce the built impact on the existing stream and adjoining bank area.

Cunnane Stratton Reynolds Landscape Architects has prepared a revised Landscape Masterplan (Dwg. No. 101) which proposes appropriate planting and surface treatments that significantly enhances biodiversity within the area adjoining the stream. Currently, this area comprises disturbed ground with limited biodiversity value. The planting of native species in the area between the proposed building and the stream will reinstate native riparian vegetation along the length of the stream within the application site. In this context, the proposed development meets the objectives of the Development Plan insofar as is possible within this constrained site.

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### Assessment:

With regard to the applicant's response to **Item 5**, it is noted that the design team have investigated the potential of relocating the proposed creche and community building to create a greater separation from the Corbally stream. The applicant notes that the options are limited given the site constraints. The applicant has also stated that the design team have managed to relocate the building 300mm eastwards. The Planning Authority considers the preservation of riparian buffer zones to be of significant importance given the ecosystem services these zones provide and it notes the weight given to these zones in CDP policy, in particular in Green Infrastructure Policy 3 and related Objectives. Following consideration and consultation with the community section, the Planning Authority concurs this site is very constrained and the scope to reposition the community centre is small without comprising its functionality by way of a reduction in scale. It also notes the profound need for the provision of this community infrastructure to catch-up with significant level of residential development that has taken place in the vicinity in recent years, CDP Policy COS3 and Objectives relate. The co-location of the proposed creche and the community centre will yield benefits for the functioning of the two uses concerned. Similarly, the location of the proposed development so that it shares a boundary with the primary school and a nursing home is considered appropriate and complementary in terms of uses. The balancing of interests in order to provide for proper planning and sustainable development can involve policy conflicts and, in this instance, the proposed provision of this vital community infrastructure co-/closely located to complementary uses is considered to outweigh the departure in terms of the width of the resultant riparian buffer zone. As such, a grant of permission is recommended.

### Other Considerations

#### *Development Contributions Assessment Overall Quantum*

- Construction of community centre and childcare facility proposed development 1610 sq.m.
- Assessable area is 1610 sq.m.

From the 1<sup>st</sup> January 2023, the South Dublin Section 48 Development Contribution Schemes will increase in accordance with the Tender Price Index. Consequently, a 13.98% increase in development levies will be applied to both Residential and Industrial/Commercial Development as follows:

<b>Description of Development</b>	<b>Amount of Contribution</b>
Residential Development	€119.10 per square metre
Industrial/Commercial Development	€112.57 per square metre

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These rates shall be applicable to all permissions commenced after the 1st of January 2023.

<b>Is development commercial or residential?</b>	Commercial
<b>Standard rate applicable to development:</b>	112.57
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€112.57
<b>Area of Development (m2)</b>	613
<b>Amount of Floor area, if any, exempt (m2)</b>	0
<b>Total area to which development contribution applies (m2)</b>	613
<b>Total development contribution due</b>	€69,005.41

613 sq.m. x €112.57 (rate per metre for commercial) = **€69,005.41 = Financial Contribution due.** Contribution payable in relation to creche only to be operated commercially.

### Conclusion

Having regard to the provisions of the South Dublin CDP 2022-2028, the overall design of the development, the additional information submitted and the responses from the relevant departments within SDCC, on balance a grant of permission subject to relevant conditions is considered consistent with the proper planning and sustainable development of the area

### Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **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



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Further Information received on 13 April 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. 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.

3. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €69, 005.00 (Sixty nine thousand and five euro), 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.

4. The open hours for the creche shall be from 7am to 6.30pm on weekdays, unless otherwise agreed with the Planning Authority

REASON: In the interests of orderly development

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5. A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.  
REASON: In the interest of sustainable transport and in compliance with the CDP
6. (a) Prior to commencement a Public Lighting Design for the development must be submitted and agreed by the South Dublin County Council Lighting Department.  
(b) Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority  
(c) Prior to commencement of development, the applicant shall submit the Construction Traffic Management Plan for the written agreement of the Planning Authority.  
REASON: In the interests of orderly development
7. It appears to the Planning Authority, the proposed attenuation is significantly under-sized and shared with another development. Prior to the commencement of development, revised attenuation details shall be submitted for the written agreement of the Planning Authority. Thereafter the revised details as agreed shall be implemented on the site. The applicant is advised to liaise with the Drainage Department for discussion in advance of the submission of the required details.  
REASON: In the interests of orderly development
8. (a) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.  
(b) 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 Sustainable Urban Drainage Systems  
(c)
9. (i) The proposed landscaping scheme shown on Landscape Masterplan (Dwg. No. 22262-2-101) shall be implemented in full, within the first planting season following completion of the development, in addition:
  - a) All hard and soft landscape works shall be completed in full accordance with the submitted plans.
  - b) 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).
  - c) 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.
  - d) 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

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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.

(ii).Retention of Landscape Architect & Certificate of Effective Completion

The Landscape Architect shall be retained by the developer for the duration of the project, to pay periodic site visits to ensure that construction works will not compromise the agreed and approved landscape development, to ensure adequate protection of the existing trees approved for retention and to supervise the implementation of the landscape plans from start to finish.

A certificate of effective completion for the agreed and approved landscape scheme shall be submitted to the Planning Authority upon completion of the landscape works, such certificate to be prepared by the qualified Landscape Architect for the project.

REASON: To ensure that the development achieves a high standard of design, layout and amenity and makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm in accordance with relevant policies in the CPD 2022-2028.

10. Prior to the commencement of Development, A detailed play strategy using Nature-based Solutions for the subject site to be submitted and agreed in writing with the Local Planning Authority. Such details shall comprise:

- i. a specification of all play equipment to be installed including provision for children with disabilities and special sensory needs;
- ii. a specification of the surface treatment within the play areas; and arrangements for ensuring the safety and security of children using the play areas.

All play equipment and ancillaries shall conform to European Standards EN 1176-1-11 and EN 1177 Playground equipment and surfacing, and to BS/EN standards 2017/18 for Playground Installations for HIC (Head Injury Criterion) and CFH (Critical Fall Height).

REASON: To ensure that the development makes appropriate provision for play and informal recreation in accordance with relevant policies in the CPD 2022-2028

11. (i) A comprehensive SUDS Management Plan shall be submitted to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan shall also be included as a demonstration of how the system will function following implementation. Additional natural SUDS features shall be incorporated into the proposed drainage system for the development such as, detention basins, filter drains, swales etc. In addition, the applicant shall provide the following:

- Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.
- Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development including drainage / attenuation

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calculations for same.

- The applicant shall show further proposed SuDS features for the development such as green roofs, grass areas, channel rills, swales, permeable paving and other such SuDS and show what attenuation capacity is provided by such SuDS. Bio retention tree pits should be designed so that they enable tree pits to both support healthy tree growth while at the same time to help treat and attenuate water coming from hard landscaping areas.
  - Natural Suds measures should be detailed to remove/ reduce the requirement for underground attenuation tanks in line with the development plan objectives.
  - Tree Pits to incorporate SuDS bioretention features and sufficient growing medium. SuDS details need to show how the water drains from the road/pavement hard surface into the SUDS tree pit, clearly outlining how SuDS features within the tree pits will function. The applicant is requested to refer to the recently published 'SDCC Sustainable Drainage Explanatory, Design and Evaluation Guide 2022' for acceptable SUDS tree pit details.
- (ii) The submitted SuDS scheme shall be implemented within a timescale to be agreed and approved by the Planning Authority and thereafter managed and maintained in accordance with the approved details.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under the CDP 2022-2028.

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**REG. REF. SD22A/0398**

**LOCATION: On lands at Cuil Duin Avenue, Citywest, Co. Dublin**



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**Darren Fagan,  
Assistant Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:** 05/05/23



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**Gormla O'Corrain,  
Senior Planner**