

J Taylor Architects Ltd
39, North Avenue
Mount Merrion
Co. Dublin

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

Decision Order Number:	0907	Date of Decision:	02-Aug-2023
Register Reference:	SD22A/0414	Date:	06-Jul-2023

Applicant: Maryphad Ltd

Development: New pedestrian exit for emergency exit purposes only from site along Cooldrinagh Lane (R148) and for new toilet facilities for existing function room previously approved SD15A/0258 to replace existing temporary toilet accommodation and for Retention for a period of not more than 4 years for tent structure providing covered link between existing function room and moveable dining booths in part of existing car park.

Location: Salmon Leap Inn, Cooldrinagh, Leixlip, Co. Dublin

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 09-Jan-2023 /06-Jul-2023

Clarification of Additional Information Requested/Received:

DECISION TO: Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, for the reasons set out in the First Schedule hereto, to **GRANT PERMISSION & GRANT RETENTION** for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

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 condition(s) set out hereunder is thereby 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.
 1. 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 6 July 2023, save as may be required by the other conditions attached hereto.
 2. The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, within 6 months of the grant of permission, save as may be required by other conditions attached hereto.

REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Duration of permission.

The tent hereby granted retention permission is on a temporary basis for a period of 4 years from the date of the final grant of retention permission, after which time the temporary structure shall be removed from the site within six months, unless prior to that date, permission for its retention for a further period has been granted by the Planning Authority, or An Bord Pleanála on appeal.

REASON: In the interest of the proper planning and sustainable development of the area.
3. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:
Revised plans that incorporate all of the following amendments-

 - (a) the pedestrian exit for emergency exit purposes from site along Cooldrinagh Lane (R148) is omitted.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
4. Development Permitted
Permission is hereby granted solely for the development which is set out in Statutory Public Notices and description of development under Section 9 of the planning application form submitted, with the exception of the new pedestrian exit for emergency exit purposes from site along Cooldrinagh Lane (R148), which has been omitted by Condition 3 of this permission.

REASON: In the interest of clarity, consistency and the proper planning and sustainable development of the area.

5. Architectural Conservation.

a. The proposed new toilet extension at the east end of the existing Long House building consists of a very small addition to the existing building with a lower roof line in keeping with the addition to the west end of the existing building. The roof shall be finished to match the main roof and walls finished to match the external finish of the main building. It is proposed to provide double glazed hard wood multi pane windows as this might be deemed to be more in keeping with the existing window type. However as this is a new addition it is considered that the windows shall be timber full pane windows in order to show a modern window type therefore indicating the modern addition. Details of the windows design and materials shall be submitted to for the written agreement of the Planning Authority, prior to the commencement of development.

b. The proposed pedestrian exit through the wall has been omitted. Should the wall require any works as a result of the proposed development, it shall be made good using traditional methods and materials, details of which shall be submitted for agreement of the planning authority, prior to the commencement of development.

REASON: In the interests of architectural conservation.

6. Environmental Health.

1. No heavy / noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 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.

2. Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood.

3. 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.

4. 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).

5. Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.

6. Generators and high duty compressors shall be provided with localised barriers or acoustic enclosures as appropriate.

7. Noisy plant shall be sited away from sensitive properties as far as practicable.

8. All rooms, passageways, sanitary accommodation, and lobbies shall be ventilated to the outer air. Provision of adequate ventilation shall be provided throughout the proposed development:

- In the case of natural ventilation, openings to the external air equivalent to a minimum of 5% of the floor area must be provided

- Otherwise, mechanical ventilation capable of achieving the following air changes per hour:

stores 3 air changes per hour

entrance halls/corridors 3-5 air changes per hr

staff areas 4-8 air changes per hour

WC's 3 air changes per hour

WC lobbies 2 air changes per hour

Offices 4-6 air changes per hr

9. 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.

10. Clearly audible or impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

11. 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.

12. The applicant shall put in place a pest control contract for the site for the duration of the construction works.

REASON: to protect the amenities of the area.

7. Drainage.

(a) The applicant shall include SuDS (Sustainable Drainage Systems) in proposed development such a permeable paving, green roof, planter boxes rain garden/s and other such SuDS. Examples of SuDS can be found in SDCC (South Dublin County Council) SuDS Guide or SDCC Householders Guide.

(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.

8. 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.

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

9. Roads.

1. EV Charging:

The proposed development shall make provision for the charging of electric vehicles. 100% of surface car parking spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 20% of surface car parking spaces must be provided with electric vehicle charging points initially. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

2. Bicycle Parking:

The applicant shall submit a revised layout of not less than 1:200 scale. The applicant shall provide Bicycle Parking spaces refer to Table 12.23: Minimum Parking/Storage Rates – from the SDCC County Development Plan 2022-2028.

All bicycle parking spaces must be covered and shall be constructed in line with National Cycle Manual standards.

3. Mobility Impaired Parking:

The applicant shall provide 5% of vehicular parking spaces for mobility impaired users.
REASON: In the interest of sustainable transport.

10. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2, 926.82 (two thousand nine hundred and twenty six euro and eighty 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.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014 the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

Pamela Hughes
for **Senior Planner**

03-Aug-2023

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

(A) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
 2. The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made.
where the application relates to unauthorised development €4,500.00 or €9,000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made.
other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b) €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal €110.00
 - (f) Appeal following a grant of leave to appeal €110.00
 - (g) Referral..... €220.00
 - (h) Reduced fee (payable by specified bodies)..... €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at

Telephone 01-858 8100