

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0457

Application Date: 09-Dec-2022

Submission Type: Additional
Information

Registration Date: 19-Jul-2023

Correspondence Name and Address: Tom Phillips & Associates 80, Harcourt Street,
Dublin 2

Proposed Development:

The development will consist of a cemetery including: 8, 047 No. traditional burial plots; Columbarium walls; 1 single storey reception building (214.7m2 Gross Floor Area (GFA)) comprising a reception, 1 office, 1 reception store, WC, kitchenette with photovoltaic (PV) solar panels at roof level; and the provision of an ancillary maintenance shed, bin and battery storage structures; The development includes a new vehicular access road from Garters Lane to the N7 /M7 Naas Road, with 2 vehicular access points serving the proposed cemetery; 110 car parking spaces (25 spaces to the east of the reception building and 85 within overflow car park areas to the south of the development); 8 bicycle parking stands; and all associated hard and soft landscape and boundary treatment works including the reshaping of an existing lake and provision of a footbridge; provision of SUDS measures, associated lighting, associated signage, site services (foul and surface water drainage and water supply); and all other associated site excavation, infrastructural and site development works above and below ground.

Location: Citywest Hotel & Convention Centre, Saggart, Co. Dublin

Applicant Name: Cape Wrath Hotel Unlimited

Application Type: Permission

(AOCM)

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Description of Site and Surroundings:

Site Area: stated as 13.45 hectares.

Site Description:

The application site consists of a golf course that is located to the north of the City West Hotel and Convention Centre. The N7 is located to the north of the site and runs along the northern boundary. The site is currently accessed via Garter's Lane. The Citywest/Fortunestown area is located to the east, the villages of Saggart and Rathcoole are located to the south and west respectively, and the Baldonnell Business Park is located across the N7 to the north of the site. The area is mixed in nature with a variety of commercial and residential uses present.

Proposal:

Permission is sought for the following:

- Cemetery including:
 - 8,047 no. traditional burial plots
 - Columbarium walls
 - 1 no. single storey reception building (214.7 sq.m GFA)
 - Ancillary maintenance shed, bin and battery storage structures.

Zoning:

The site is subject to zoning objective 'OS' – *'To preserve and provide for open space and recreational amenities.'*

Consultations:

Internal Consultees

Roads	Additional information recommended.
Public Realm	Additional information recommended.
Water Services	Additional information recommended.
Environment	Additional information recommended.

External Consultees

Irish Water	No objection, conditions recommended.
Environmental Health Officer (EHO)	No objection, conditions recommended.
Department of Defence	No report received at time of writing.
Transport Infrastructure Ireland	Response received, no observation to make.

SEA Sensitivity Screening

SEA monitoring indicates no overlap with relevant sensitive layers.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Submissions/Observations /Representations

Submission expiry date – 23 January 2023

4 no. submissions were received, 2 no. private submissions and 2 no. group submissions, including points as follows:

- Concern regarding loss of designated green leisure space
- Lack of alignment with Saggart Local Area Plan and 2022 Development Plan
- Additional traffic congestion
- Lack of justification for location of proposal
- No proposal given for remainder of golf course.
- Application premature pending new Saggart Local Area Plan, which should be prioritised.
- Development presents underutilisation of prime leisure/recreational asset.
- Viability of cemetery of this size questionable
- Full Engineering Services Report not available at time of preparation of submission.
- Excessive roadway proposed, no need for perimeter road – clarification required.
- Inaccuracies/lack of detail on road drawings
- Verde Report states 3 to 4 funerals a day, with over 300 annual burials.
- Concerns regarding potential contamination of surface water – appropriate barrier between cemetery and pond required.
- Impact on wider sewage network on basis of requirements for foul sewage at the site

Relevant Planning History

SD21A/0088: Community sports & civic campus consisting of a golf facility including driving range and associated floodlighting and netting, mini golf area and bar/restaurant, 1 floodlit GAA pitch, 2 rugby pitches, 3 football pitches, 5 floodlit tennis courts, 6 floodlit all-weather 5-a-side pitches, changing room facility, multisport building comprising indoor courts and activity/meeting rooms, playground facilities, 2 new vehicular accesses onto Garters Lane, solar PV panels, car/bicycle parking and all other associated landscaping and site development and drainage works above and below ground. **Declared withdrawn following a request for additional information.**

SD20A/0075

Permission refused for Provision of public concert use at the Convention Centre.

The applicant is currently the subject of an appeal to An Bord Pleanála.

SD15A/0381 and PL06S.246719

Permission refused at appeal for the increase in capacity of the conference centre to allow for up to 6,000 patrons (the conference centre is currently limited to 4,161 patrons under Reg. Ref. SD07A/0294, An Bord Pleanála reference PL06S.227236) and for the provision of public

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

concerts; modifications to the permitted layout of the overflow car park (Reg. Ref. SD10A/0150, An Bord Pleanála reference PL06S.238971) to accommodate an additional 171 car parking spaces and taxi set-down area; improvement works to the junction at Garters Lane and Fortunestown Lane; all associated site development, landscaping and boundary treatment works above and below ground.

SD02A/0722 and 06s.202708

Permission granted for extension to existing hotel comprising of 167 new bedrooms in 2 no. blocks, Block A 88 bedroom, Block B 79 bedrooms and a conservatory extension to front bar area, also for the retention of various extensions to existing hotel, comprising of conservatory extension to reception area, conservatory extension to lounge area, extension to carvery area, retention of canopy covered walkway from front of hotel to conference room, escape stairs and lift at conference room, extension of conference room kitchen, security office and canteen area, extension to stage in conference room and retention of changing area on first floor, retention of extension to four bedrooms on second floor, retention of extension of four bedrooms on third floor, retention of extension to two bedrooms on fourth floor all over stage area, retention of switch room and bar store, retention of extension to kitchen on first floor, retention of six bedrooms on second floor over conference room, retention of ten bedrooms on third floor over conference room and retention of ten bedrooms on fourth floor over conference room and the retention of a green keepers shed and a helicopter store and landing area all with 383 additional car parking spaces, 280 to the north of the new apart hotel block under construction, 103 to the rear of existing hotel, all so for a link tunnel between apart hotel under construction to existing car parking area and associated site works on lands which are the site of a recorded monument with protected structure status.

S01A/0450

Construction of Apart Hotel, consisting mainly of a three- storey building with fourth floor in roof space, with one section facing into a lower courtyard of four stories with fifth floor in roof space. The proposal consists of 1 no. 1 bed studio, 24 no. 1 bed apartments, 95 no. 2 bed apartments, along with reception area, kitchen, dining room, cocktail bar, staff facilities and car parking for 59 cars on surface with 175 underground car spaces along with all necessary ancillary site development works on their land adjacent to their existing City West Hotel, Leisure and Golf Club, the land on which it is proposed to locate this development contains a protected structure within its curtilage.

Nearby Sites

SD22A/0464: Change of use of the subject lands from disused golf course to Public Park. The proposed new park will retain and maintain the existing man-made lakes. New pathways, lighting, seating, informal play areas, fencing, signage, allotments, bicycle parking, new hard and soft landscaping and tree planting are proposed throughout the site; New car park for 57 spaces

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

from a new vehicular and pedestrian access road via a north-south connection onto Fortunestown Lane will also be constructed. **Decision outstanding – due 22 February 2023.**

Relevant Enforcement History

No relevant live enforcement files recorded.

Pre-Planning Consultation

PP097/21 – 30/09/2021

- Meeting was in relation to the development of playing pitches and a graveyard on lands (formerly a golf course) within Citywest Hotel and Convention Centre, Saggart, Co Dublin

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

Chapter 3 Natural, Cultural and Built Heritage

Policy NCBH1: Overarching

Protect, conserve and enhance the County's natural, cultural and built heritage, supporting its sensitive integration into the development of the County for the benefit of present and future generations.

Chapter 4 Green Infrastructure

Section 4.1 Methodology

Policy GII: Overarching

Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.

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.

Section 4.2.1 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.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Section 4.2.2 Sustainable Water Management

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 5 Quality Design and Healthy Placemaking

Chapter 7 Sustainable Movement

Policy SM1: Overarching – Transport and Movement

Promote ease of movement within, and access to South Dublin County, by integrating sustainable land-use planning with a high-quality sustainable transport and movement network for people and goods.

Section 7.10 Car Parking

Chapter 8 Community and Open Space

Section 8.15 Burial Grounds

Policy COS13: Burial Grounds

Facilitate the sustainable development of cemeteries and crematoria to cater for the needs of the County.

COS13 Objective 1: To facilitate the development of new or extended burial grounds, including green cemeteries, eco-burial grounds, and crematoria, having consideration for the burial preferences of multi-faith and non-religious communities, at suitable locations in the County, subject to appropriate safeguards with regard to environmental considerations, noise and traffic impacts.

Chapter 11 Infrastructure and Environmental Services

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 11.8.2 Casement Aerodrome

Section 11.8.6 Airport and Aerodrome – Noise

Section 11.8.7 Public Safety Zones

Chapter 12 Implementation and Monitoring

12.4.2 Green Infrastructure and Development Management

Section 12.8.8 Burial Grounds Including Green Burial Grounds and Crematoria

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland (2018).

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021)

Design Manual for Urban Roads and Streets, Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Use and Visual Amenity
- Sustainable Movement
- Green Infrastructure
- Water Supply and Wastewater
- Infrastructure and Environmental Services
- Appropriate Assessment
- Environmental Impact Assessment

Zoning and Policy

South Dublin County Development Plan 2022 - 2028

The site is subject to zoning objective 'OS' – *'To preserve and provide for open space and recreational amenities.'* Cemetery is open for consideration under this zoning objective, if provided in the form of a lawn cemetery. Per Appendix 6 of the Development Plan, 'Cemetery' relates only to the use of land as a burial ground, not referencing associated uses.

Crematorium and place of worship (in existing premises) are open for consideration. Funeral home is a not permitted use under the 'OS' zoning objective.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

A funeral home is defined as '*a building or part of a building used for the **laying out of remains, the holding of burial services and the assembling of funerals.** A building, or part thereof, used solely for making funeral arrangements is regarded as an office.*' [emphasis added].

Based on the above, it is considered that the cemetery use is acceptable in principle however, the part of the reception building where ceremonies could be facilitated is considered to be similar to a funeral home use and would be contrary to the zoning objective. In this regard, that part of the reception building would need to be omitted or redesigned so as not to provide space for the laying out of remains or holding/assembling of funerals.

Along the northern site boundary with the N7 is an objective to '*protect and preserve significant views*', when looking into the site from the north.

Use and Visual Amenity

The applicant states the cemetery and associated buildings would be non-denominational, with the reception building designed to provide '*a range of burial typologies and associated services.*' The applicant has not provided information on who the intended operator of the cemetery would be. This should be requested as additional information.

A single storey reception building with a flat roof would be provided near the site entrance at the east of the site. the building is technically comprised of two elements separated by an open-ended covered walkway. One part of the structure provides a reception area (140 sq.m) with seating for approximately 60 guests and an area indicated for the laying out of a body. The other part of the building provides an office, storage, restrooms and kitchenette. The building is modern and modest in scale. It is not considered that there would be any significant impacts on neighbouring uses as a result of the structure. The building would have solar panels. No response has been received from the Department of Defence in relation to concerns regarding the use of PV panels at the site. In the event of a grant, conditions should be included relating to glint and glare to ensure to risk to aviation safety due to the proximity of Casement Aerodrome.

Bin storage would be provided proximate to the reception building, along with a battery storage area. The bin storage area would be discrete and is acceptable. It is not clear from the application what the battery storage area is required for. This should be clarified by **additional information**.

As stated above, funeral home is a not permitted use under this zoning objective. It is considered that the reception area with seating and a plinth for bodies would fall under the funeral home category, given the possibility of services occurring in this area. It is not clear why this space is required save for the laying out of bodies and holding/assembling of funeral services.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

To comply with the zoning objective, it is not considered that any use at the site other than burial would be compliant. The applicant should be requested to submit **additional information**, clarifying the intended purpose of the reception building. If funeral home related uses are proposed this would be contrary to the zoning objective and the building would need to be revised to remove this element of the proposal.

The specified height of the columbarium walls at 1.9m is modest and acceptable. Similarly, the scale of the entrance wall with advertisement to the cemetery is considered acceptable. The dimensions of the headstones can be agreed by way of condition, should permission be granted. The proposed lawn cemetery appearance with headstones and without raised kerbs for the traditional burial plots as indicated to the landscaping proposals is considered acceptable.

Visual Impact

There is an objective along the sites western/north western boundary, adjacent to the N7, to 'Protect and Preserve Significant View', as per Map 8 of the Development Plan.

The Landscape Report, prepared by Murray Associates, addresses this objective, noting that the building is only 6.2m in height and would not be visible within the surrounding landscape where canopy heights are between 6m – 20m.

It is noted that the boundary of the site along the N7 is significant mature trees and other vegetation. The majority of this green infrastructure is intended for retention meaning views into the site will be limited. Based on the nature of the proposal, the protection of existing vegetation and development surrounding the site, it is not considered that the works would impact on this protected view.

Residential Amenity

The main impact to residential amenity as a result of this development is likely to be traffic. These concerns are addressed under Sustainable Movement, below.

Westpark Apartments are located to the northeast of the site. There is a mature tree boundary shared by the sites, with the trees located outside the red line boundary and therefore understood to be retained. An existing fence boundary would be retained, with new planting along the applicant's ownership boundary. Burial plots would be located in closest proximity to the apartment complexes, with the reception building in excess of 100m from the nearest apartments. This separation is considered acceptable, and it is not considered that the use of the site would be in conflict with the neighbouring residential use.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

It is noted that Citywest Hotel is located within the blue line boundary of the site, currently used for refugee accommodation. There is an appropriate separation distance of uses and it is not considered that there would be negative impacts on the hotel as a result of the cemetery.

Remaining Golf Course

The golf course previously provided a recreational amenity for members, residents of the hotel and other users. The proposal would change the use of part of the course to a cemetery. No proposals have been provided for the southwestern portion of the course that would appear untouched by the current proposals. The applicant should provide **additional information** in relation to any intended works to the course, and how this would be integrated back into use for the hotel or otherwise.

Architectural Heritage and Archaeology

There is an existing gate lodge at the site, near the original entrance onto the N7. This lodge is not protected, and no works appear to be proposed to the building. It is not considered that the proposed development would negatively impact the gate lodge. There are no other buildings, monument or otherwise sensitive heritage features at the site.

Addressing Previous Additional Information Items (SD21A/0088)

As the previous application was withdrawn, it is considered to address items of the previous additional information request that are relevant to the current proposal.

The applicant is no longer proposing sports uses at the site and therefore additional information in relation to the community sports and civic campus use previously proposed is not necessary.

The applicant has revised the site layout and use proposed, with associated alterations to parking and traffic impacts. As stated below under Sustainable Movement, there are still concerns regarding the proposals in terms of roads proposed and the level of car parking. These concerns will need to be addressed by **additional information**.

As stated above, the applicant has acknowledged the significant view from the site and provided information on the protection of this view. This is considered acceptable.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

With regard to landscaping, additional information relating to landscape details and SuDS is still required. It is noted that the presence of Japanese Knotweed was referenced in the previous application, with the following requested:

- *A detailed survey undertaken by an approved environmental consultant for the presence of Japanese Knotweed.*
- *An Invasive Species Management Plan as to how the Japanese Knotweed will be addressed. This should be provided by suitably qualified specialist who can demonstrate experience and technical abilities in invasive species management and control. Please note that Japanese Knotweed can be far more extensive than the visible parts on the surface and that the underground parts of the plant may extend laterally up to 7 metres beyond this. Therefore, this survey must also note any knotweed adjoining the site.*

It is not clear that this has been referenced in the current application and should be requested again as **additional information**.

Significant concerns in relation to ecology were raised, in particular the requirement for revised surveys of the site and more detailed bat survey work. Also, a survey and assessment of the impact of the loss of wetland habitat was also requested.

An Ecological Impact Assessment has been provided stating bat surveys were conducted in September 2020 and 2022. Breeding bird surveys were also conducted in June – July 2022. This is the appropriate period for such surveys to have been undertaken. Mammal surveys were conducted in September, and it is noted that this is a poor time to observe mammal movements. A survey during the appropriate period should be required as **additional information**. In relation to the wetland habitat, this appears to have been reviewed as part of the Ecological Impact Assessment, with species observed and the manmade nature of features at the site highlighted.

No bat roosts were noted on site however, bat activity was registered and measures to safeguard bats would be required during vegetation clearance and tree removal. One tree of bat roosting potential is to be removed, and a pre-construction survey of trees for felling should be conducted prior to removal. This should be required by **condition**. In addition, any other mitigation measures mention in ecological reports submitted within the application should be implemented by **condition**.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Sustainable Movement

The applicant is proposing a new access road to the west of Garter Lane. This road would provide 2 no. accesses into the site and would form the southern and western boundary of the site, extending up to the northwest to the existing entrance to the site off the N7. A rationale as to the requirement of this amount of infrastructure has not been provided.

Assumptions are therefore made that delivery of this road is sought to expand the future development potential of the lands to the south, within the applicant's ownership. Justification of this road, and an understanding of the future intentions of the lands are considered important prior to the finalisation of a decision in relation to this application. On this basis, the applicant should be requested to submit a masterplan as **additional information**, indicating the future intentions for the remainder of the site and providing a justification for the extended new access road.

The Roads Department have reviewed the application and have raised concerns regarding a lack of information in relation to the existing N7 access and the requirement for a 6.5m perimeter access road around the boundary of the site. In addition, the Roads Department consider a lack of information regarding existing road and pedestrian infrastructure in the area has been provided, limiting an assessment of the useability of the site when accessed via sustainable public transport modes. Furthermore, the level of car parking proposed is considered excessive. On the basis of the aforementioned, the Roads Department have recommended the following **additional information** is sought:

- 1. The applicant/developer is requested to submit accurate plans demonstrating the provision of a visibility splay of 2.0m x 90m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right hand side of entrance and to the centreline of the road to the left hand side of the entrance (when exiting).*
- 2. The applicant is requested to clarify the proposed access arrangements for existing entrance gate connecting the central access road to the N7.*
- 3. The applicant is requested to clarify the rationale for the 6.5m wide perimeter access road and accompanying cycle lane and footpath which continues from the 2 no proposed access points to the existing access road which runs parallel to the N7.*
- 4. The applicant is requested to submit a Mobility Management Plan detailing the predicted number of visitors travelling to and from the site by public transport or active travel and any measures to be put in place to promote the use of sustainable transport.*

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

5. *The applicant is requested to submit a revised car parking layout showing a reduction in the number of car parking spaces, taking into account visitors travelling by sustainable transport modes.*
 - *20% of the spaces shall be Electric Vehicle Charging spaces.*
 - *5% of the spaces shall be for mobility impaired users.*
6. *The applicant/developer should submit a revised Transportation Assessment which analyses how local traffic will be affected if the Garter Lane/Fortunestown Lane junction upgrades are not implemented. Clarification should also be given on how the visitor traffic to/from the cemetery was calculated. Data on daily and yearly funeral numbers should be clearly shown.*

It is considered appropriate to request the recommended **additional information** to ensure compliance with Development Plan standards and in the interests of traffic safety and sustainable traffic management of the area. In particular, a number of observations raised concerns regarding the perimeter road and potential traffic. In addition, there are significant discrepancies in the number of funerals anticipated, with the transport assessment stating a different figure to the Environmental and Hydrogeological Assessment. The applicant should be invited to address this discrepancy, and the matters raised in the submissions. An adequate **additional information** response to the above items should address these concerns.

Green Infrastructure

The subject site appears to be located within the Camac River Primary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028). The site is an existing, defunct, golf course, comprising mature vegetation surrounding traditional green areas and bunkers. The scheme has been designed to reflect the existing course layout in order to minimise the loss of existing trees and other vegetation however, landscaping works and construction are proposed, potentially impacting existing green infrastructure and biodiversity.

In relation to the provision of Sustainable Urban Drainage Systems (SuDS) and surface water impacts, Water Services have reviewed the application and have recommended the following **additional information** is sought:

- 1.1 *Proposed 900mm culvert pipe for watercourse is too small. Redesign the channel with a box culvert of suitable size instead of a 900mm pipe. Ensure that each end of such a culvert has SuDS (Sustainable Drainage Systems) friendly wing walls such as green walls or equivalent.*
Submit a drawing in plan and cross-sectional view showing revised culvert design.
- 1.2 *Clarify in a letter or report if a Section 50 from OPW is required or not to develop proposed culvert at watercourse.*

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

1.3 Examine the inclusion of additional SuDS such as green roofs and other such SuDS. Guidance on SuDS can be found at SDCC website at link: [sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf](https://www.sdcc.ie/sites/default/files/2022-03/sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf)

Section 12.11.1(iii) states that 'watercourses should remain open in their natural valley', with culverting only considered in relation to road crossings, as currently proposed. Culverting at this location is therefore open to consideration, however, must be adequately justified. On this basis, requesting the above **additional information** is considered necessary.

The Public Realm section have reviewed the application and have recommended the following **additional information**:

1. Landscape Design Proposals

There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development including Landscape Design Statement/Rationale, Detailed Play Layout and GI Plan. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section.

The applicant shall provide the following additional information:

- i. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.*
- ii. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.*
- iii. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.*
- iv. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site*
- v. Demonstrate how natural SUDS features can be incorporated into the design of the proposed Development.*
- vi. Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on this existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population.*

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

2. *Landscape Maintenance and Management*

The applicant is requested to provide details of the scheme for the maintenance and management of the proposed landscape scheme including the play area for the lifetime of the development. The scheme shall include the following:

- i. methods for the proposed maintenance regime;*
- ii. detailed schedule;*
- iii. details of who will be responsible for the continuing implementation.*
- iv. details of any phasing arrangements*

3. *Sustainable Drainage Systems*

- A. The applicant should demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies GI3, GI4, GI5, IE3, SM2, SM7, and sections 4.3.1, 12.7.6, 12.11.1, and 12.11.3. of the South Dublin County Development Plan 2022 - 2028 in relation to sustainable drainage systems.*
- B. In relation to SUDs, the applicant is requested to submit plans showing how surface water shall be attenuated to greenfield run off rates and showing what SuDS (Sustainable Drainage Systems) are proposed.*
- C. SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.*
- D. Natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development. 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.*
- E. The applicant is requested to submit a report to show surface water attenuation calculations for proposed development. Show on a report and drawing what surface water attenuation capacity each SuDS (Sustainable Drainage System) system has in m³ . Show in report what surface water attenuation capacity is required for proposed development. Show what different surface types, areas in m² are proposed such as, green roofs, permeable paving, buildings, roads and their respective run off coefficients. Submit a drawing showing the treatment train of SuDS and proposed natural flow controls for each SuDS system.*

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

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

The applicant is requested to provide additional information as follows and 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*

5. *Arboricultural Method Statement*

The applicant is requested to provide a detailed Arboricultural Method Statement (AMS). The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

The development will result in alterations to the existing landscaping of the site, and the loss of some existing trees, though the retention of most mature trees and woodland is proposed, with new planting indicated to mitigate losses. To ensure all elements of the landscape design, adequate incorporation of SuDS and protection of existing trees, the recommended **additional information** is considered appropriate. The proposal does not come under the requirements of the Green Space Factor per Section 4.2.3 of the Development Plan. In particular, GI5 Objective 4 requires developments over 500 sq.m to demonstrate compliance with the GSF. This development proposes approximately 214 sq.m, significantly below this requirement and therefore it is not considered necessary to require the applicant demonstrate compliance with this measure. Item 4a, requiring a green infrastructure plan can be submitted complementary to more detailed landscape proposals.

Water Supply and Wastewater

Irish Water have reviewed the application and have stated no objection to the development, recommending **conditions** requiring connection agreements are entered into with Irish Water prior to the commencement of development. These **conditions** are considered standard and should be included in the event of a grant.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Infrastructure and Environmental Services

The Environmental Health Officer has reviewed the application and has provided a response stating that the development is acceptable subject to the following **conditions**:

1. *Noise*

During demolition and construction phase 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.

2. *Air Quality*

During the construction 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 in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinity.

3. *General Impact*

The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise or noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises or public place in the vicinity.

Reason: In the interests of public health and to contain dust arising from construction and to prevent nuisance being caused to occupiers of buildings in the vicinity.

These **conditions** are considered appropriate in the interest of public health.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

The Department of Defence have not provided a response to the development. A glint and glare and a Wildlife Aviation Impact Assessment should be prepared and agreed as **additional information**.

Hydrogeology

The Hydrogeological Report prepared by Verde has been reviewed by the Council's Scientific Officer who requests the additional information to enable the full assessment of the proposals.

Screening for Appropriate Assessment

Table 1: Description of the project and site characteristics

Planning File Reference	SD22A/0457
Brief description of the project	Cemetery, Columbarium walls, 1 no. reception building and associated structures, roadways, parking and site works.
Brief description of site characteristics	The site is currently a defunct golf course with associated landscaping and mature trees/vegetation
Application accompanied by a NIS Y/N	No

Table 2: Identification of European Sites which may be impacted by the project.

European Site	List of Qualifying Interest/ Special Conservation Interest	Distance from proposed development (m/km)	Connections (Source- Pathway- Receptor)	Considered further in screening Y/N
Glenasmole Valley SAC	3 Qualifying Interests CO001209.pdf (npws.ie)	5.6 km	No	No
Wicklow Mountains SAC	13 Qualifying Interests ConservationObjectives.rdl (npws.ie)	7 km	No	No
Wicklow Mountains SPA	2 Qualifying Interests - Merlin (Falco columbarius) [A098] Peregrine (Falco peregrinus) [A103] CO004040.pdf (npws.ie)	10.3 km	No	No
South Dublin Bay SAC	4 Qualifying Interests ConservationObjectives.rdl (npws.ie)	19 km	No	No

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

South Dublin Bay and River Tolka Estuary SPA	14 Qualifying Interests ConservationObjectives.rdl (npws.ie)	16 km	No	No
Rye Water Valley / Carton SAC	3 Qualifying Interests CO001398.pdf (npws.ie)	8.5 km	No	No
Red Bog, Kildare SAC	1 Qualifying Interest ConservationObjectives.rdl (npws.ie)	11.4 km	No	No
North Dublin Bay SAC	10 Qualifying Interests ConservationObjectives.rdl (npws.ie)	15.9 km	No	No
Poulaphouca Reservoir SPA	2 Qualifying Interests CO004063.pdf (npws.ie)	12 km	No	No
North Bull Island SPA	18 Qualifying Interests ConservationObjectives.rdl (npws.ie)	19 km	No	No

Table 3: Assessment of Likely Significant Effects

Identify all potential direct and indirect impacts (alone or in combination) that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project:	
Likely Impacts	Possible Significance of Impacts (duration, magnitude etc.)
<p>Construction phase e.g.</p> <ul style="list-style-type: none"> • Vegetation clearance • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials. • Access to site • Pests 	<p>During the construction stage there is the potential for surface water runoff. There are, however, no hydrological links from the site to any SAC's or SPA's. The construction phase would not result in significant environmental impacts that could affect European Sites within the wider catchment area.</p>

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

<p>Operational phase e.g.</p> <ul style="list-style-type: none">• Direct emission to air and water• Surface water runoff containing contaminant or sediment.• Lighting disturbance• Noise/vibration• Changes to water/groundwater due to drainage or abstraction• Presence of people, vehicles and activities• Physical presence of structures• (e.g., collision risks)• Potential for accidents or incidents	<p>Foul and surface water would ultimately lead to the Dublin Bay sites. Surface water would initially be managed onsite as much as possible. The hydrological connections are indirect and weak, and the separation distance is significant, such that there is no real likelihood of any significant effects on European Sites in the wider catchment area.</p>
<p>In-combination/Other</p>	<p>The subject site is located on zoned OS lands, in an emerging urban area where. Significant developments are currently under construction in the area however, all are similarly served by SuDS and plans are in place to minimise alone, and in combination impacts. On this basis, no likely significant in-combination effects are identified.</p>

Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?

No

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Table 4: Screening Determination Statement

Assessment of significance of effects:		
Describe how the proposed development (alone or in-combination) is/is <u>not likely</u> to have <u>significant</u> effects on European site(s) in view of its conservation objectives.		
<p>On the basis of the information provided, which is considered adequate to undertake a screening determination, and having regard to:</p> <ul style="list-style-type: none"> • the nature and scale of the proposed development, • the intervening land uses and distance from European sites, • the lack of direct connections with regard to the Source-Pathway-Receptor model, <p>it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.</p> <p>An appropriate assessment is not, therefore, required.</p>		
Conclusion		
	Indicate (X)	Recommendation
It is clear that there is no likelihood of significant effects on a European site	X	The proposal can be screened out. Appropriate assessment not required.
It is uncertain whether the proposal will have a significant effect on a European site		Request further information to complete screening. Request NIS Refuse permission
Significant effects are likely		Request NIS Refuse permission
Completed by	Aoife O'Connor-Massingham	
Date	08/02/2023	

Environmental Impact Assessment

Having regard to the 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.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the assessment of relevant consultees, it is considered appropriate to request **additional information** in relation to the following items prior to reaching a final decision on the development:

- Masterplan of the wider blue line area to justify the provision of the perimeter road, and interim design proposals for the remaining golf course lands.
- Information in relation to the intended operator of the finished development.
- More information in relation to the proposed use of the reception building, with cognisance to the sites land use zoning objective
- More detail regarding the battery storage area
- Japanese knotweed
- Mammal surveys
- Roads, access, and traffic safety
- Watercourses
- Landscape design proposals
- Landscape maintenance and management
- Sustainable urban drainage systems (SuDS)
- Arboricultural method statement
- Aviation safety
- Hydrogeology

Recommendation

Request Further Information.

Further Information

Further Information was requested on 13/02/23

Further Information was received on 19/07/23

Consultations

Internal Consultees

Roads	No objection, conditions recommended.
Public Realm	No objection, conditions recommended.
Water Services	Clarification of Additional information recommended.
Environment	Response received; condition required

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

External Consultees

Irish Water	No objection, conditions recommended.
Department of Defence	No report received at time of writing.
Inland Fisheries Ireland	Observation received; recommendations included

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. *Masterplan and Interim Design Proposals*
 - A. *The applicant is proposed a perimeter road around the site boundary. No rationale or justification for this road has been provided. The applicant is therefore requested to provide a masterplan for the remaining blue line lands, to provide some insight into the future intention of these lands and thereby the requirement to provide the road as currently designed.*
 - B. *It is noted that the applicant will be severing the existing golf course, with half of the fairways remaining untouched by the current proposal. The applicant is requested to provide information in relation to the temporary use of these lands, and any associated landscaping proposals for the remaining undeveloped golf course.*
2. *Intended Operator*

The applicant is requested to provide information in relation to the intended operator of the finished development.
3. *Reception Building*

The applicant has provided plans showing a 114 sq.m reception room, with seating and an area for laying out coffins. The applicant is requested to provide more information in relation to the intended use of this space, clarifying if funeral services or wakes will be carried out at the site. In providing this response, the applicant should have reference to the OS zoning objective, noting that funeral home use, specifically in relation to the 'laying out of remains, the holding of burial services and the assembling of funerals' is not permitted under this zoning objective. Revised plans may be submitted in light of these zoning considerations, as appropriate.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

4. *Battery Storage Area*

The applicant is requested to provide more information in the requirement for the battery storage area, why this is required and further details in relation to its design and appearance.

5. *Japanese Knotweed*

A. *A detailed survey undertaken by an approved environmental consultant for the presence of Japanese Knotweed.*

B. *An Invasive Species Management Plan as to how the Japanese Knotweed will be addressed. This should be provided by suitably qualified specialist who can demonstrate experience and technical abilities in invasive species management and control.*

Please note that Japanese Knotweed can be far more extensive than the visible parts on the surface and that the underground parts of the plant may extend laterally up to 7 metres beyond this. Therefore, this survey must also note any knotweed adjoining the site.

6. *Mammal Surveys*

It is noted from the Ecological Impact Assessment that mammal surveys were not undertaken during the appropriate time period. The applicant is requested to undertake these surveys during the appropriate period, and provide a report detailing the results. Any mitigation measures recommended must be adapted into the scheme.

7. *Roads, Access and Traffic Safety*

A. *The applicant/developer is requested to submit accurate plans demonstrating the provision of a visibility splay of 2.0m x 90m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right hand side of entrance and to the centreline of the road to the left hand side of the entrance (when exiting).*

B. *The applicant is requested to clarify the proposed access arrangements for existing entrance gate connecting the central access road to the N7*

C. *The applicant is requested to clarify the rationale for the 6.5m wide perimeter access road and accompanying cycle lane and footpath which continues from the 2 no proposed access points to the existing access road which runs parallel to the N7.*

D. *The applicant is requested to submit a Mobility Management Plan detailing the predicted number of visitors travelling to and from the site by public transport or active travel and any measures to be put in place to promote the use of sustainable transport.*

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

- E. The applicant is requested to submit a revised car parking layout showing a reduction in the number of car parking spaces, taking into account visitors travelling by sustainable transport modes.*
- i. 20% of the spaces shall be Electric Vehicle Charging spaces.*
 - ii. 5% of the spaces shall be for mobility impaired users.*
- F. The applicant/developer should submit a revised Transportation Assessment which analyses how local traffic will be affected if the Garter Lane/Fortunestown Lane junction upgrades are not implemented. Clarification should also be given on how the visitor traffic to/from the cemetery was calculated, noting discrepancies in the figures given in the Transport Assessment and the Verde Environmental Assessment. Data on daily and yearly funeral numbers should be clearly shown and justified based on similar developments.*
8. *Watercourses*
- A. Proposed 900mm culvert pipe for watercourse is too small. Redesign the channel with a box culvert of suitable size instead of a 900mm pipe. Ensure that each end of such a culvert has SuDS (Sustainable Drainage Systems) friendly wing walls such as green walls or equivalent.*
 - B. Submit a drawing in plan and cross-sectional view showing revised culvert design.*
 - C. Clarify in a letter or report if a Section 50 from OPW is required or not to develop proposed culvert at watercourse. If consent is required, this must be provided for.*
9. *Landscape Design Proposals*
- There are concerns with the lack of information submitted in relation to the landscape scheme for the proposed development. The applicant is requested to provide detailed landscape design for the proposed development including Landscape Design Statement/Rationale, Detailed Play Layout and GI Plan. The applicant shall provide a fully detailed landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The applicant shall provide the following additional information:*
- A. The applicant shall submit a comprehensive Landscape Design Rationale, the objective of this report is to describe the proposed landscape and external works as part of this proposed housing development.*
 - B. The applicant is requested to submit a fully detailed Planting Plan to accompany the landscape proposals for the entire development. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.*
 - C. The landscape Plan shall include hard and soft landscape details; including levels, sections and elevations, detailed design of SUDs features including swales and integrated/bio-retention tree pits.*

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

- D. Significantly reduce the impacts of the development on existing green infrastructure within and adjacent to the proposed development site*
- E. Demonstrate how natural SUDS features can be incorporated into the design of the proposed development, such as green roofs and other such SuDS. Guidance on SuDS can be found at SDCC website at link: [sdcc-sustainable-drainage-explanatory-design-and-evaluation-guide.pdf](#).*
- F. Submit green infrastructure proposals and a green infrastructure plan that will mitigate and compensate for the impact of the proposed development on the existing site and show connections to the wider GI Network. These proposals should include additional landscaping, SUDS measures (such as permeable paving, green roofs, filtration planting, above ground attenuation ponds etc) and planting for carbon sequestration and pollination to support the local Bat population. The applicant should demonstrate how they intend to reduce fragmentation of existing green infrastructure and provide a green infrastructure plan showing connections through the site and connections to wider GI network.*

10. Landscape Maintenance and Management

The applicant is requested to provide details of the scheme for the maintenance and management of the proposed landscape scheme including the play area for the lifetime of the development. The scheme shall include the following:

- i. methods for the proposed maintenance regime;*
- ii. detailed schedule;*
- iii. details of who will be responsible for the continuing implementation*
- iv. details of any phasing arrangements*

11. Sustainable Drainage Systems

- A. The applicant should demonstrate compliance with the SDCC SUDS Design Guide 2022, and Policies GI3, GI4, GI5, IE3, SM2, SM7, and sections 4.3.1, 12.7.6, 12.11.1, and 12.11.3. of the South Dublin County Development Plan 2022 - 2028 in relation to sustainable drainage systems.*
- B. In relation to SUDs, the applicant is requested to submit plans showing how surface water shall be attenuated to greenfield run off rates and showing what SuDS (Sustainable Drainage Systems) are proposed.*
- C. SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.*

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

- D. Natural SUDS features should be incorporated into the proposed drainage system for the development such as bio-retention/constructed tree pits, permeable paving, green roofs, filtration planting, filter strip etc. In addition, the applicant should demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development. 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.*
- E. The applicant is requested to submit a report to show surface water attenuation calculations for proposed development. Show on a report and drawing what surface water attenuation capacity each SuDS (Sustainable Drainage System) system has in m³ . Show in report what surface water attenuation capacity is required for proposed development. Show what different surface types, areas in m² are proposed such as, green roofs, permeable paving, buildings, roads and their respective run off coefficients. Submit a drawing showing the treatment train of SuDS and proposed natural flow controls for each SuDS system.*

12. Arboricultural Method Statement

The applicant is requested to provide a detailed Arboricultural Method Statement (AMS). The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

13. Aviation Safety

- A. Due to the proximity to Casement Aerodrome, the developer should produce a Wildlife Aviation Impact Assessment and implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.*
- B. The applicant is requested to provide a Glint and Glare Assessment to ensure the development will not impact flight safety in relation to Casement Aerodrome.*

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

14. Hydrogeology

- i. Additional information about the lake on site is requested. Is it constructed/natural? If constructed, details of how it is fed, lined and its capacity are requested*
- ii. The applicant is requested to provide a site drawing that overlays the interment locations with ground water depths*
- iii. Provide details on the number of traditional interments per plot (stacking), if this varies across the proposed cemetery, a site drawing showing this is requested*
- iv. It is noted that the proposed southwest of the site (approximately 1/3 of the site) has no ground investigation information, the applicant is requested to provide ground investigation information for same or justify the omission.*
- v. It is requested the applicant ensure the site boundary display in drawing 1872_PL-P_00 corresponds with Figure 7.1 of the Environmental and Hydrogeological Assessment Report.*
- vi. The applicant is requested to demonstrate consultation with Inland Fisheries Ireland on surface water quality issues and incorporate any recommendations of IFI, given the nature of the proposed use.*

Assessment

Item 1 – Masterplan and Interim Design Proposals

The applicant has amended the proposal to remove the perimeter road. The road serving the proposed cemetery has been revised to extend from Garters Lane and connect with the existing footpath/internal service road through the centre of the site and does not continue around the perimeter. The Roads Department have stated they are satisfied with the amended road layout and it is considered that this item has been addressed acceptably.

In response to 1B, regarding the remaining fairways and submission of a masterplan, the applicant notes that the golf club has not been in use since 2000 and a separate planning application, SD23A/0100, has been lodged seeking permission for a solar development on the remaining golf course lands. The applicant also incorrectly states that planning permission has been granted for a public park on other lands within the applicant's blue line boundary. Under SD22A/0464, additional information has been requested, partly seeking a masterplan for the wider area also. While the applicant has provided a basic planning history, which the Planning Authority is well aware of in the first instance, it is not considered that the applicant has meaningfully engaged with the request. A masterplan is sought to understand current and future plans for the land, to gain an understanding of how development now might impact or facilitate the future intentions of the applicant. The response does not provide any greater insight into this and therefore is not considered acceptable. Furthermore, in the event that the SD23A/0100 is not granted, no plan has been provided for the remaining golf course lands.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Ideally this would be addressed as **clarification of additional information** however, there is not sufficient time left to request this. It is not considered that lack of addressing this item provides sufficient reason for **refusal** alone however, the applicant should be requested to agree an indicative masterplan for the full blue line landholding with the Planning Authority prior to the commencement of development.

Item 2 – Intended Operator

The applicant has stated that no specific operator has been identified to date and will be appointed subsequent to a grant of permission. The applicant further states that they are *'committed to ensuring that the development is subject to best practice during the operational phase.'*

Section 12.8.8 of the Development Plan states that applications for cemeteries must demonstrate a need for the development. While Policy COS13 is supportive of the development of cemeteries, it is considered that an understanding of the intended operator is necessary to assess whether this development is required at the proposed location. **Clarification of additional information** should be sought clarifying how the applicant would engage an operator and what would happen if no suitable operator is identified however, there is not sufficient time to allow for this. In the event of a grant, a **condition** should be attached that, prior to commencement of development, the Planning Authority must be notified of an intended operator for the facility.

Item 3 – Reception Building

A funeral home is defined as *'a building or part of a building used for the **laying out of remains, the holding of burial services and the assembling of funerals**. A building, or part thereof, used solely for making funeral arrangements is regarded as an office.'* [emphasis added].

The applicant's response to Item 3 states the reception building would be used *'as a **gathering space prior to burial/internment services at the designated traditional burial plots or columbarium wall within the wider cemetery grounds. The Reception Building would also be used for services prior to the removal of remains at a traditional burial plot.**'* [Emphasis added.]

While the reception building is not called a funeral home, the stated use of part of the building for a gathering space and services is consistent with uses under the funeral home definition contained at Appendix 6 of the Development Plan. The use of the reception building for assembling and services is therefore considered to materially contravene the sites zoning objective.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

While it is noted that the applicant states the development is in accordance with The Cemeteries Clauses Act, 1847, Article/Section 11 of which states:

'the Company, upon any land which by the special Act they are authorized to use for the purposes of the cemetery, may build such chapels for the performance of the burial service as they think fit, and may lay out and embellish the grounds of the cemetery as they think fit.'

It is not considered that this overrides the sites zoning objective. The applicant should therefore be requested to submit revised proposals, amending the reception building to remove any potentially non-conforming use. Alternatively, the applicant should be invited to demonstrate, beyond doubt, that the use is not a material contravention of the sites zoning objective to not provide uses akin to funeral home services. This should be addressed as **clarification of additional information**, allowing the applicant time to redesign the building and get permission on this basis. As there is no time to do this, the 140 sqm reception area (northern part) of the reception building should be omitted by **condition** and revised plans should be submitted for agreement. The ancillary part of the building to the south is acceptable.

Item 4 – Battery Storage Area

The applicant has stated that, on review, there is no need for a battery storage area and the site layout has been updated accordingly. This is acceptable.

Item 5 – Japanese Knotweed

An additional site inspection was undertaken in June 2023. From this survey, it has been concluded that *'no invasive plant species listed on the third Schedule of regulation 49 & 50 in the European Communities (Birds and Natural Habitats) Regulations 2011 are noted on site or proximate to the site. An Invasive Species Management Plan is not required as no invasive species were noted on site.'* This response is considered acceptable.

Item 6 – Mammal Surveys

A Badger/Fauna Survey has been submitted following surveys undertaken in March and April 2023. This is within the appropriate optimal period for such surveys. Some limitations of the survey are noted and accepted.

The report concludes that the site is of limited interest for mammalian fauna. Foxes, grey squirrels and a hedgehog were noted on site through camera monitoring. Signs of previous badger activity were noted but no active setts were observed, no signs of otter were noted at the site either. Frogspawn was observed in at two of the ponds on site which may also cater for smooth newts. The loss of ponds at the site is likely to have a significant impact on frog populations.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

The report proposes a number of recommendations and mitigation measures for the protection of badgers, frogs and newts. A **condition** should be included in the event of a grant requiring all mitigation measures to be implemented by the applicant, and details on how other recommendations of the report have been incorporated into the design of the scheme, with particular regard to recommendations in relation to the retention of ponds.

Item 7 – Roads, Access and Traffic Safety

The Roads Department have reviewed the applicant's additional information submission. A summary of the assessment of each part of Item 7 is as follows:

- A) The Roads Department are satisfied that the submitted visibility splay demonstrates adequate sightlines for drivers existing the proposed development.
- B) The applicant has stated that no access will be provided to the N7 and the existing gates will remain closed. The Roads Department are satisfied with this response.
- C) The applicant has amended the road layout, removing the permitter road and connecting the access from Garters Lane to an internal footpath/service road only. The Roads Department are satisfied with the amended road layout.
- D) The applicant has submitted a Travel Plan. The Roads Department are satisfied with the Travel Plan, noting the use of sustainable transport will be promoted through a reduction in car parking spaces by 40% and the construction of upgrade pedestrian and cycling facilities within the site boundary along with proximity to the Luas and future bus services.
- E) The applicant has reduced car parking at the site from 110 no. spaces to 66 no. spaces. 13 no. spaces are proposed as EV charging, equating to approximately 20% of spaces. The Roads Department are satisfied with this response and note that all car parking spaces must be ducted to accommodate future charging points, as per Section 12.7.5 of the Development Plan.
- F) The applicant has provided a Supplementary Transportation Assessment Report which analysed traffic flow on the existing Garter Lane /Fortunestown Lane junction and the junction if/when proposed upgrades are implemented. Traffic to/from the cemetery was calculated based on a survey of movements from Kilmashogue Cemetery and applying this data to the proposed site. The assessment confirmed that the proposed development would have a negligible impact on the operation of the surrounding road network and the Roads Department have stated they are satisfied with this conclusion.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Overall, the Roads Department are satisfied with the applicant's response, recommending the following **conditions** in the event of a grant:

- 1. EV charging shall be provided in all residential, mixed use and commercial developments and shall comprise a minimum of 20% of the total parking spaces provided. The remainder of the parking spaces shall be constructed to be capable of accommodating future charging points as outlined in SDCC CDP section 12.7.5.*
- 2. Prior to commencement of development, the location, design and construction details of the pedestrian crossings to be constructed by the applicant/developer shall be submitted for the written agreement of the Planning Authority.*
- 3. Prior to commencement of development, the applicant shall submit the Construction Traffic Management Plan for the written agreement of the Planning Authority.*
- 4. 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.*
- 5. Prior to commencement a Public Lighting Design for the development must be submitted and agreed by the South Dublin County Council Lighting Department.*
- 6. The applicant is to provide a Taking In Charge Map that distinguishes between all areas to be offered to SDCC.*

These **conditions** are considered appropriate to ensure the development is delivered in accordance with the policies and objectives of the Development Plan, and with pedestrian and traffic safety prioritised.

Item 8 – Watercourses

The applicant has tripled the size of the proposed culvert. The applicant has stated that it is their understanding that an OPW Section 50 application is not required for works on private land. They state that they would make such an application if required should permission be granted. The Council has engaged with the OPW who stated that a developer would be required to get a section 50 application for a culvert. It is the Council's position that the applicant should provide a copy of consent from the OPW under section 50 to develop the proposed culvert, or alternatively to provide confirmation from the OPW that the proposed culvert is exempt. This is recommended as clarification of additional information. As there is no time to request clarification, this should be required by **condition**, prior to the commencement of any works on site.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Item 9 – Landscape Design Proposals

The Public Realm Section have reviewed the additional information provided and have stated that, in principle, the landscape proposals submitted are acceptable, subject to being implemented in full and the adequate protection of existing trees to be retained on site. Their report recommends a **condition** to this effect. Complementary to this is the recommendation that a landscape architect is retained on site, required by **condition**.

These **conditions** are considered appropriate to ensure the correct implementation of any permitted landscaping plan.

Item 10 – Landscape Maintenance and Management

The applicant has submitted a Landscape Architect's Maintenance and Management Plan. This plan appears to be very high level and does not provide all the information required by the Public Realm Section to be satisfied. In this regard, their report recommends the following **condition** is included in the event of a grant:

Landscape Management

Prior to commencement of development a landscape management plan, including long term design objectives, levels and gradients, management responsibilities and maintenance schedules for all for all public open space areas shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved management plan.

REASON: To ensure satisfactory landscape treatment and that the maintenance of all public open space areas to be TIC is feasible, in accordance with the policies and objectives contained within the CDP 2022-2028.

This **condition** is considered appropriate to ensure that landscaping at the site is maintained to a suitable standard.

Item 11 – Sustainable Drainage Systems

Water Services have reviewed the applicant's response to the additional information request and have recommended **clarification of additional information** is sought in relation to the following:

- 1.1 Item 11 e) has not been addressed sufficiently. Provide a report detailing the area of each different surface type in m², and their corresponding run off coefficient. Include the total area of the entire proposed development. Provide a table in report detailing each individual attenuation features and volume in m³ of each feature.*
- 1.2 Provide drawings showing plan and cross sections of each Sustainable Urban Drainage feature.*
- 1.3 Clarify if family members will have the option to lay surfacing over burial plots with hard landscaping after burial has taken place (for example concrete over burial plot).*

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

It is considered appropriate the recommended **clarification of additional information** is necessary to ensure a full understanding and early consideration of surface water drainage. Item 1.3 is considered of relevance to this assessment as any permissible works to burial plots that impact surface water runoff could have a direct impact on the suitability of SuDS as currently proposed. However, clarification of additional information cannot be sought in this instance due to statutory time restrictions. As such, the above can only be addressed by **condition**, and should be required prior to the commencement of any works on site. In providing revised proposals, the applicant should reference the relevance guidance documents on the SDCC website.

Item 12 – Arboricultural Method Statement

The applicant has submitted an Arboricultural Method Statement. The Public Realm Section have reviewed this response and not stated any objection. Their report recommends the following **condition** is included in the event of a grant:

Tree 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 in the submitted Arboricultural Report and Tree Protection Plan prepared by Charles McCorkell. 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.*
- 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.*

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.

This **condition** is considered appropriate to ensure that trees on site are suitably protected during the construction phase of the development.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

In addition, the Public Realm Section have recommended a **condition** is included requiring payment of a tree bond prior to the commencement of works on site. This is also considered appropriate to ensure the protection of trees on site and has been calculated as follows:

Category	Number of trees/groups/woodland	Tree to be removed	Total to be retained/protected
A	27	0	27
B	137	11	126
C	236	19	217
U	25	4	21
		Tree Bond	€217,854.66

Item 13 – Aviation Safety

The applicant has submitted a Wildlife Aviation Impact Assessment and a Glint and Glare Assessment. The Department of Defence have not provided a response to the submission and therefore it cannot be determined that these items adequately address the requirements of Item 13. A **condition** should be included in the event of a grant requiring these documents to be submitted with evidence of agreement from the Department of Defence.

Item 14 – Hydrogeology

The applicant has confirmed that the existing lake on site is part of the golf course, is lined and does not allow retained water to recharge the ground water table. Storm water from the hard landscaping and new building is proposed to discharge into the pond and a controlled discharge rate will be set if required.

The Environmental Scientific Officer has reviewed the submission and stated the only outstanding item for confirmation is that there will be at least 1m of unsaturated soil between the bottom of the deepest coffin compared to the shallowest [bgl] recorded water table for the site as provided in the submission. This can be addressed by **condition**.

The applicant has stated that they have consulted with Inland Fisheries Ireland (IFI), incorporating their views to provide a box culvert to bridge the existing watercourse. Evidence and greater detail of this communication has not been provided. IFI have reviewed the additional information and have stated that they expressed to the applicant a preference for maintaining an open channel where possible, requesting that, where the only option is to provide a box culvert, that the floor of the culvert should be embedded below the existing stream level and the up and downstream side of the culvert openings. IFI note from the drawings provided that it is unclear that this request has been accommodated.

The IFI report notes that, as the Camac River will be the conduit for the conveyance of any deleterious material, it is essential appropriate mitigation measures are implemented to ensure

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

the protection of the Camac and connected Natura 2000 sites. They recommend a site-specific Construction Environmental Management Plan (CEMP) is prepared for the project, and this can be required by **condition**.

Other Considerations

Development Contributions

Is development commercial or residential?	Commercial
Standard rate applicable to development:	112.57
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€112.57
Area of Development (m²)	74.70*
Amount of Floor area, if any, exempt (m²)	
Total area to which development contribution applies (m²)	74.70
Total development contribution due	112.57x74.7 = €8,408.98

*140sqm reception area excluded from calculation

SEA Monitoring Information

Building Use Type Proposed:	Cemetery
Floor Area:	74.7
Land Type:	Open space
Site Area:	13.45 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that, subject to **conditions** set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance 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.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

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 Further Information received on 19 July 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. 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 140 sqm northern part of the Reception Building, for the gathering of funerals and hosting of services, shall be omitted. This use is considered to be a material contravention of the sites zoning objective.
REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3. Masterplan
Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority, details regarding an interim use of the remaining golf course lands in the event SD23A/0100 is not granted. Furthermore, the applicant is to agree an indicative masterplan for the entire blue line landholding with the Planning Authority prior to the commencement of development. This masterplan will not be binding but would assist in providing a general understanding of the intention for the future development of these lands.
REASON: In the interest of the proper planning and sustainable development of the area.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

4. Intended Operator and Management of the Cemetery
 - A) Prior to the commencement of development, the applicant shall provide confirmation of the intended operator for the finished development. In the event no operator is found at this time, the applicant shall submit, for the written agreement of the Planning Authority, details specifying how an operator shall be found, and a plan for how to operate the cemetery in the event no suitable operator is confirmed.
 - B) Prior to operation of the development the applicant shall submit a detailed plan for the management of headstone dimensions and plot alterations, for the written agreement of the Planning Authority.

REASON: In the interest of the proper planning and sustainable development of the area.
5. Roads issues

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

 - A) a layout plan, for the written agreement of the Planning Authority providing EV charging comprising a minimum of 20% of the total parking spaces provided. The remainder of the parking spaces shall be constructed to be capable of accommodating future charging points as outlined in SDCC CDP section 12.7.5.
 - B) details of the location, design and construction of the pedestrian crossings
 - C) a Construction Traffic Management Plan
 - D) a developed Construction & Demolition Waste Management Plan (C&DWMP)
 - E) a Public Lighting Design for the development
 - F) a Taking In Charge Map that distinguishes between all areas to be offered to SDCC

REASON: In the interest of the proper planning and sustainable development of the area.
6. Sustainable Drainage Systems
 - A) Item 11(e) of the additional information request has not been addressed sufficiently. Prior to the commencement of development, the applicant shall provide a report detailing the area of each different surface type in m², and their corresponding run off coefficient, for the written agreement of the planning authority. The report shall include the total area of the entire proposed development and a table detailing each individual attenuation feature and volume in m³ of each feature.
 - B) Prior to the commencement of development, provide drawings showing plan and cross sections of each Sustainable Urban Drainage feature, for the written agreement of the Planning Authority.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

C) Prior to the commencement of development, clarify if family members will have the option to lay surfacing over burial plots with hard landscaping after burial has taken place (for example concrete over burial plot). In the event such alterations to burial plots is to be allowed, the applicant shall supply details on the further management of additional surface water runoff, or a management plan to prohibit such works. This must be agreed with the Planning Authority prior to commencement of development.

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

7. Water Table Protection

Prior to the commencement of development, the applicant shall submit details for the written agreement of the Planning Authority comprising a undertaking that at least 1m of unsaturated soil will remain between the bottom of the deepest coffin compared to the shallowest recorded water table for the site as provided for in the submission for the duration of the operation of the cemetery. The applicant is advised to contact the South Dublin County Council Environmental Scientific Officer in the event of any difficulties in providing this information.

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

8. Culvert

A) Prior to the commencement of development, the applicant shall submit revised designs for the proposed culvert or alternative works, in consultation with the Planning Authority and Inland Fisheries Ireland. Detailed drawings are to be agreed in writing minimising the extent of the culvert and, where a box culvert is the only option, the floor of the culvert shall be embedded below the existing stream level and both the up and downstream side of the culvert openings. There shall be no impediment to the passage of fish as a result of the culvert. The applicant is to submit evidence of engagement with IFI in relation to an agreed design.

B) Prior to the commencement of development, and subsequent to agreement of item A) above, the applicant shall provide a copy of consent from the OPW, under section 50, to develop the proposed culvert, or alternatively provide a copy of a letter or email from the OPW confirming that the proposed culvert is exempt from section 50.

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

9. Mitigation Measures to Protect Flora and Fauna

The applicant shall implement all of the recommended mitigation measures included in all environmental and ecological reports submitted in support of this application, including, but not limited to measures stated in the Ecological Impact Assessment, Environmental & Hydrogeological Assessment Report, Badger/Fauna Survey and Wildlife Aviation Impact Assessment. In particular a pre-construction survey of trees for felling shall be conducted prior to removal and a full faunal survey shall be undertaken in the event construction does not start within 18 months of March 2023.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

Where recommendations to minimise the impact of the development on wildlife, the applicant shall submit, prior to the commencement of development, details on how these items have been incorporated into the design of the scheme.

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

10. Implementation of Landscape Masterplan

The landscape scheme shown detailed on the Landscape Masterplan (drawing No.1872_PL_P03) and other associated plans (Dwg No.'s 1872_PL_P_04 & 1872_PL_P_05) shall be implemented in full, within the first planting season following completion of the development, in addition:

- i) All hard and soft landscape works shall be completed in full accordance with the submitted the submitted Hard and Soft Landscape plans (Dwg. No.'s 1872_PL_P_04 & 1872_PL_P_05).
 - ii) 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).
 - iii) 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.
 - iv) 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.

11. Retention of Landscape Architect

- i) Prior to the commencement of 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.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

12. Landscape Management

Prior to commencement of development a landscape management plan, including long term design objectives, levels and gradients, management responsibilities and maintenance schedules for all for all public open space areas shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved management plan.

REASON: To ensure satisfactory landscape treatment and that the maintenance of all public open space areas to be TIC is feasible, in accordance with the policies and objectives contained within the CDP 2022-2028.

13. Tree 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 in the submitted Arboricultural Report and Tree Protection Plan prepared by Charles McCorkell. 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.

(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.

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.

14. Tree Bond

A maximum of two weeks from the date of the Commencement Notice and prior to the commencement of works on site, a Bond or bank draft to the value of €217, 854.66 (two hundred and seventeen thousand eight hundred and fifty four euros and sixty six cents) shall be lodged with South Dublin County Council as a security for the protection of the existing trees and hedgerows on site which are to be retained, as per the submitted Arborists Report.

The release of the bond will only be considered:

i) Upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

ii) a minimum twelve months after the completion of all site works once it has been ascertained that all trees/hedgerows specified for retention have been preserved in their prior condition and have suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree and hedgerow protection. The Council reserves the right to partially or fully sequester this bond in order to undertake compensatory planting elsewhere in the vicinity of this site, based on the Council's inspection and estimation of the damage caused.

REASON: In the interest of tree protection and the proper planning and sustainable development of the area.

15. 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.

16. Drainage - Irish Water.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

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.

17. Construction Environmental Management Plan (CEMP)

Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall identify potential impacts and mitigating measures. The CEMP shall detail and ensure Best Construction Practices including measures to prevent and control the introduction of pollutants and deleterious matter to surface water and measures to minimise the generation of sediment and silt. The developer must take precautions to ensure there is no entry of solids, during the connection of pipework, or at any stage to the existing surface water system. All discharges from construction sites either directly or indirectly, via the surface water storm network at all phases of the development must comply with the European Communities (Surface Water) Regulations 2009 and the European Communities (Groundwater) Regulations 2010.

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

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

18. Aviation Safety

Prior to the commencement of development, the applicant shall submit the following, with written confirmation of agreement from the Department of Defence:

- A. A Wildlife Aviation Impact Assessment.
- B. A Glint and Glare Assessment to ensure the development will not impact flight safety in relation to Casement Aerodrome.

During the construction phase of the development, the applicant shall implement adequate bird control measures to mitigate the effects of birds on Air Corps flight operations.

REASON: In the interest of aviation safety.

19. Environmental Health

A) Noise

During demolition and construction phase 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.

B) Air Quality

During the construction 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.

C) General Impact

The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise or noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises or public place in the vicinity.

Reason: In the interests of public health and to prevent nuisance.

20. Restrictions on Signage.

Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the development or within the curtilage of the site, unless authorised by a grant of planning permission.

Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

REASON: To protect the visual amenities of the area and in the interest of the proper planning and sustainable development of the area.

21. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €8, 408.98 (Eight Thousand, Four Hundred and Eight Euros and Ninety Eight Cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Act 2000 (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.

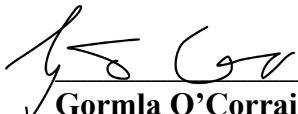
Comhairle Chontae Atha Cliath Theas

PR/0960/23

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0457

LOCATION: Citywest Hotel & Convention Centre, Saggart, Co. Dublin



Gormla O'Corrain
Senior 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: 15 Aug 2023



**Mick Mulhern, Director of Land
Use, Planning & Transportation**