

Planning Compliance

Land Use, Planning & Transportation Department
South Dublin County Council
County Hall
Tallaght
Dublin 24



By email & registered post

24th August 2023

Dear Sir/Madam,

RE: CONDITION 35 – DEVELOPMENT OF 569 DWELLINGS AT CLONBURRIS SOUTH WEST DEVELOPMENT AREA WITHIN THE CLONBURRIS SDZ AT TOWNLANDS OF CAPPAGH, CLONBURRIS LITTLE AND KISHOGE, CO. DUBLIN.

REG REF: SDZ21A/0022

I write on behalf of Cairn Homes Properties Ltd in respect of Reg Ref: SDZ21A/0022 and to discharge the following condition as required.

Condition 35:

Regulation of Institutional Investment in Housing - Mixed unit-type development.

(a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000 (as amended), that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Response

Please find enclosed two copies of 'Section 47 Agreement Individual Purchaser' in respect of the above-mentioned permitted development located within the Clonburris SDZ at townlands of Cappagh, Clonburris Little and Kishoge, Co. Dublin signed on behalf of Cairn Homes Properties Limited. I would be grateful if you could provide us with a signed and sealed copy for our records.

Yours Sincerely



Lianna Slowey
Town Planner

Rory Kunz,
John Spain Associates
39, Fitzwilliam Place
Dublin 2

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

Decision Order Number:	1095	Date of Decision:	23-Aug-2022
Register Reference:	SDZ21A/0022	Date:	29-Jun-2022

Applicant:

Cairn Homes Properties Ltd.

Development:

The construction of 569 dwellings, a creche, innovation hub and open space in the Clonburriss South West Development Area of the Clonburriss SDZ Planning Scheme 2019 as follows: 173 houses comprising 8 two bedroom houses, 153 three bedroom houses and 12 four bedroom houses (147 dwellings in CSW-S4 consisting of 8 two bedroom houses, 127 three bedroom houses & 12 four bedroom houses & 26 three bedroom dwellings in CSW-S3}, all 2 storey comprising semi-detached, terraced, end terrace units (with parking and private open space); (B) 148 duplex apartments/apartments {88 in CSW-S4 & 60 in CSW-S3} comprising 74 two bedroom units and 74 three bedroom units, in 16 three storey buildings. In CSW-S4 Duplex Blocks A,B,C,D,E,F,G,J,K, comprise 8 units (4 two bed & 4 three bed units), Duplex Block H comprises 16 units (8 two bed & 8 three bed units), In CSW-S3 Blocks L, N & O comprise 8 units (4 two bed & 4 three bed units), Block M comprises 14 units (7 two bed & 7 three bed units), Block P comprises 10 units (5 two bed & 5 three bed units), Block Q comprises 12 units {6 two bed & 6 three bed units}, all to have terraces/pitched roof; (C) 396 apartments as follows: within CSW-S4, Block 1 consists of 172 apartments (76 one bedroom, 91 two bedroom and 5 three bedroom apartments), in a 2-building arrangement both 6 storeys in height. Within CSW-S3, Block 2 {4 storeys} comprises 16 one bedroom apartments and 22 two bedroom apartments, Block 3 (4 storeys) comprises 16 one bedroom apartments and 22 two bedroom apartments (all apartments to have terrace or balcony); (D) Provision of an innovation hub (626sq.m) and creche (c. 547sq.m) in a part 3/4 storey 'local node' building in CSW-S4; (E) Vehicular access will be from the permitted

Clonburris Southern Link Street (SDZ20A/0021) and R113 to the east {along with provision of internal haul routes {for construction) to connect to the R136 to the west); (F) Public Open Space/landscaping of c. 4.1 hectares (to include Local Park and MUGA in CSW-S3, Grand Canal Park, along the southern and eastern boundaries of the site to connect to existing Grand Canal towpath) as well as a series of communal open spaces to serve apartments and duplex units (c. 0.39 ha); (G) all ancillary development works including footpaths, landscaping boundary treatments, public, private open space areas, car parking (656 spaces) and bicycle parking (672 spaces), single storey ESB substations/bike/bin stores, 'Gateway' entrance signage (2), solar panels at roof level of apartments, and all ancillary site development/construction works; (H) Permission is also sought for revisions to attenuation permitted under SDZ20A/0021 as well as connection to water supply, and provision of foul drainage infrastructure; this application is being made in accordance with the Clonburris Strategic Development Zone Planning Scheme 2019 and relates to a proposed development within the Clonburris Strategic Development Planning Scheme Area, as defined by Statutory Instrument No. 604 of 2015; an Environmental Impact Assessment Report accompanies this planning application; the application applies for 7-year planning permission for development at this site of c. 17 .02 hectares (on two parcels of land to include entrance area) within the townlands of Cappagh, Clonburris Little & Kishoge, Co. Dublin all on wider lands bounded generally by undeveloped lands and the Dublin-Cork railway line to the north, undeveloped lands and the Grand Canal to the south, the R113 {Fonthill Road) to the east and the R136 to the west.

Location: Within the Townlands of Cappagh, Clonburris Little & Kishoge, Co. Dublin

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 04-Feb-2022, 27-Jun-2022

Clarification of Additional Information Requested/Received: 16-Jun-2022, 29-Jun-2022

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

imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

FIRST SCHEDULE

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

SECOND SCHEDULE

Conditions and Reasons:

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Street hierarchy, design and layout
 1. Prior to the commencement of development, the applicant shall set out a revised car parking rationale, taking into account the amendments required by (2) below. This should consider the car parking for houses, duplex and apartments separately and show a reduction in the level for houses by 50no spaces and for duplex by 14no., unless otherwise agreed in writing by the Planning Authority.
The car parking standards for the key land uses in Clonburris are set out under the South Dublin County Council Development Plan 2022-2028 and the Transport Assessment and Strategy that accompanies this Planning Scheme. The standards are maximum parking standards and should not be viewed as a target. Details in relation to the design of car parking are set out under Section 2.8 (Built Form and Design) of the Planning Scheme - Clonburris SDZ Planning Scheme 2019 Page 33. The application site is defined as in Level 3 on Figure 2.2.8. This corresponds to Zone 2 the county development plan car parking standards. The proposed development represents an overprovision of car parking for houses and duplex units by 64no.
 2. Prior to the commencement of development the applicant shall provide revised plans for the written agreement of the Planning Authority, which accord with the following requirements unless otherwise agreed in writing with the Planning Authority:
 - (a) The unnamed street, located to the south of Apartment Block 1 shall be redesigned to be fully pedestrianised outside of delivery hours. A parking courtyard may be provided at this location. If a parking court is provided, it shall be restricted in size to no more than 40 spaces and should also be well landscaped and subject to a landscape plan, in accordance with Section 2.8.10 of the Planning Scheme.
 - (b) Street 1 (local street/fixed):
The street shall be redesigned in general accordance with Figure 2.2.6 Indicative Local Street A. The following detail shall be provided.
 - The street shall have a carriageway width of no less than 5 meters and no more than 6 meters; 6m shall be provided for reversing if perpendicular parking is proposed
 - Perpendicular parking bays shall be a minimum of 5m deep and parallel shall be a

minimum of 2.4m.

- At any point along the road, perpendicular parking shall be provided on one side only;
- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

(c) Street 2 (Homezone / Flexible):

(i) This street or Street 1 shall be designed/ enhanced as a local green corridor with connection to the pedestrian street/ future urban square to the north of the link street.

(ii) The north / south (20m wide) element shall be retained as a homezone and shall be redesigned in general accordance with Figure 2.2.6 'intimate scale'.

- The street shall have a carriageway width of no greater than 4.8m
- Only parallel parking shall be provided and it shall be a minimum of 2.4m.
- A footpath width of between 2.5 and 4 meters shall be provided between the shared carriageway and landscaped privacy area. This shall also be shared surface
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

(iii) the east / west element is wider and shall be redesigned as a Local Street, rather than a homezone and should generally be in accordance with Figure 2.2.6 Indicative Local Street A:

- The street shall have a carriageway width of no less than 5 meters and no more than 6 meters; 6m shall be provided for reversing if perpendicular parking is proposed
- Perpendicular parking bays shall be a minimum of 5m deep and parallel shall be a minimum of 2.4m deep.
- At any point along the road, perpendicular parking shall be provided on one side only;
- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth should be provided
- Street trees shall be provided in accordance with Condition 7

(d) Street 3(Local Street / Flexible): The street shall be redesigned in general accordance with Figure 2.2.6 Indicative Local Street A. The following detail shall be provided.

- The street shall have a carriageway width of no less than 5 meters and no more than 6 meters; 6m shall be provided for reversing if perpendicular parking is proposed
- Perpendicular parking bays shall be a minimum of 5m deep and parallel shall be a minimum of 2.4m.

• At any point along the road, perpendicular parking shall be provided on one side only;

- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

(e) Street 4 (Homezone / Flexible): This street shall be retained as a homezone and shall be redesigned in general accordance with Figure 2.2.6 'intimate scale'.

- The street shall have a carriageway width of no greater than 4.8m
- Only parallel parking shall be provided and it shall be a minimum of 2.4m deep.
- A footpath width of between 2.5 and 4 meters shall be provided between the shared carriageway and landscaped privacy area. This shall also be shared surface
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

(f) Street 5 (Local Street / Flexible):

(i) The element between the community building and dwelling 309 is 18m wide. Given the width, the street shall be redesigned in general accordance with Figure 2.2.6 Indicative Local Street B. The following detail shall be provided.

- The street shall have a carriageway width of no less than 5 meters and no more than 5.5 meters;
- Only parallel parking shall be provided and it shall be a minimum of 2.4m deep.
- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

(ii) The element south of the community building is 25m wide. This shall be redesigned in general accordance with Figure 2.2.6 Indicative Local Street A. The following detail shall be provided.

- The street shall have a carriageway width of no less than 5 meters and no more than 6 meters; 6m shall be provided for reversing if perpendicular parking is proposed
- Perpendicular parking bays shall be a minimum of 5m deep and parallel shall be a minimum of 2.4m.
- At any point along the road, perpendicular parking shall be provided on one side only;
- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

(g) Street 6 (Homezone / Flexible): This street shall be retained as a homezone and shall be redesigned in general accordance with Figure 2.2.6 'intimate scale'.

- The street shall have a carriageway width of no greater than 4.8m
- Only parallel parking shall be provided and it shall be a minimum of 2.4m deep.
- A footpath width of between 2.5 and 4 meters shall be provided between the shared carriageway and landscaped privacy area. This shall also be shared surface
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

(h) Street 7 (local street/fixed). This shall be redesigned in general accordance with Figure 2.2.6 Indicative Local Street A. The following detail shall be provided.

- The street shall have a carriageway width of no less than 5 meters and no more than 6 meters; 6m shall be provided for reversing if perpendicular parking is proposed
- Perpendicular parking bays shall be a minimum of 5m deep and parallel shall be a minimum of 2.4m.
- At any point along the road, perpendicular parking shall be provided on one side only;
- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7
- If feasible without negatively impacting on the open space to the west, parallel car parking may be provided adjacent to the park.

(i) Street 8 (Homezone / Flexible): This shall be redesigned in general accordance with Figure 2.2.6 Indicative Local Street A. The following detail shall be provided:

- The street shall have a carriageway width of no less than 5 meters and no more than 6 meters; 6m shall be provided for reversing if perpendicular parking is proposed
- Perpendicular parking bays shall be a minimum of 5m deep and parallel shall be a

minimum of 2.4m.

- At any point along the road, perpendicular parking shall be provided on one side only;
- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

(j) Street 9 (Homezone / Flexible): This street fronts open space. The perpendicular parking shall be retained in this home zone as an exception. The following detail shall be provided:

- The street shall have a carriageway width of 6 meters; 6m shall be provided for reversing for perpendicular parking
- Perpendicular parking bays shall be a minimum of 5m deep
- No parking shall be provided adjacent to the park
- A footpath width of between 2.5 and 4 meters shall be provided;
- Carriageway and footpath shall be shared surface
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

(k) Street 10 (Local Street / Flexible): This street shall be redesigned in general accordance with Figure 2.2.6 Indicative Local Street B. The following detail shall be provided.

- The street shall have a carriageway width of no less than 5 meters and no more than 5.5 meters;
- Only parallel parking shall be provided and it shall be a minimum of 2.4m deep.
- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- No car parking shall be provided adjacent to the communal open space to the east
- Street trees shall be provided in accordance with Condition 7

(l) Street 11(local street/fixed): This shall be redesigned in general accordance with Figure 2.2.6 Indicative Local Street A. The following detail shall be provided:

- The street shall have a carriageway width of no less than 5 meters and no more than 6 meters; 6m shall be provided for reversing if perpendicular parking is proposed
- Perpendicular parking bays shall be a minimum of 5m deep and parallel shall be a minimum of 2.4m.
- At any point along the road, perpendicular parking shall be provided on one side only;
- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7
- If feasible without negatively impacting on the open space to the west, parallel car parking may be provided adjacent to the park.

(m) Street 12 (Local Street / Flexible): This street is situated adjacent to a future development site. The overall width is currently unknown. The street shall be redesigned in general accordance with either Figure 2.2.6 Indicative Local Street A or B. i.e.:

- The street shall have a carriageway width of no less than 5 meters and no more than 6 meters; 6m shall be provided for reversing if perpendicular parking is proposed
- Perpendicular parking bays shall be a minimum of 5m deep and parallel shall be a minimum of 2.4m.
- At any point along the road, perpendicular parking shall be provided on one side

only;

- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

OR

- The street shall have a carriageway width of no less than 5 meters and no more than 5.5 meters;
- Only parallel parking shall be provided and it shall be a minimum of 2.4m deep.
- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7

(n) Canal Road (local street / fixed): This shall be redesigned in general accordance with Figure 2.2.6 Indicative Local Street A. The following detail shall be provided:

- The street shall have a carriageway width of no less than 5 meters and no more than 6 meters; 6m shall be provided for reversing if perpendicular parking is proposed
- Perpendicular parking bays shall be a minimum of 5m deep and parallel shall be a minimum of 2.4m.
- At any point along the road, perpendicular parking shall be provided on one side only;

- A footpath width of between 2.5 and 4 meters shall be provided;
- Privacy strips/short gardens that range from 1 to 3 metres in depth shall be provided
- Street trees shall be provided in accordance with Condition 7
- No car parking shall be located adjacent to the canal park.

3. In accordance with section 2.8.10 of the planning scheme, no more than 60% of residential parking spaces shall be provided as in-curtilage parking spaces in any Development Area. Prior to the commencement of development, the applicant shall submit details which indicate compliance with this, taking into account the amendments required under (1) and (2) above.

REASON: in order to comply with the Clonburris SDZ Planning Scheme.

3. Amendments.

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

Revised plans that incorporate all of the following amendments-

(a) House type 19014 PL 112 Rev A shall be revised to dual frontage. The main frontage shall face the canal

(b) House Types H1, H2 shall be revised. Each plot shall have an individual distinctive design, in accordance with Section 2.4.3 of the Planning Scheme.

(c) the applicant shall undertake an assessment of topography across the site and shall identify areas where dwelling / duplex height can be varied. Following agreement of these areas with the Planning Authority, revised plans shall be submitted indicating a varied roofscape for the written agreement of the Planning Authority

(d) The bin storage areas shall include green roofs / walls, where feasible

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

4. Park Hub.

The area identified as 'flexible community space' on the ground floor plan on drawing 19014-P1-350-Rev A shall be made available for use as a park hub.

REASON: In the interest of residential amenity.

5. Amendments - Glazing.

Unless otherwise agreed in writing with the Planning Authority, the following amendment to the design shall be carried out:

The first and second floor windows on west elevation of Block A shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity

The first and second floor windows on east and west elevations of Block B shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity

The first and second floor windows on west elevation of Block H shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity

The first and second floor windows on east and west elevations of Block J shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity

The first and second floor windows on east and west elevations of Block L shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity

The first and second floor windows on east and west elevations of Block M shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity

The first and second floor windows on east and west elevations of Block N shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity

The first and second floor windows on the south elevation of Block O window shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity

The first and second floor windows on the east and west elevations of Block P window shall be fitted with obscure glazing, and such obscure glazing shall be maintained in perpetuity

REASON: In the interest of residential amenity.

6. Green Infrastructure.

Prior to the commencement of works on site, the applicant, owner or developer shall have lodged with the Planning Authority for agreement by Public Realm, green infrastructure proposals that demonstrate:

i. A Strategic Green Corridor along the Western Boundary by extending the planting proposed within the western boundary of the Local Park southwards and including nature based SuDS.

ii. A Local Green Corridor within Street 2 incorporating nature based SuDS: planting proposals require strengthening as there is no difference between it and the tree planting proposed on the other local streets and homezones.

iii. Provision of street trees along local streets and homezones.

REASON: In the interests of adequate Green infrastructure provision in accordance with the Planning Scheme.

7. Street trees

Prior to the commencement of any works on site or as otherwise agreed, the applicant, owner or developer shall have lodged with the Planning Authority for written agreement, landscape proposals that demonstrate the following or as otherwise agreed in writing with the Planning Authority:

a. Streets 1, 3, 5, 8, 12: Where street trees have not been provided on one side of the street, the footpath should be moved to the inside, (i.e. car parking and tree on the street edge), to enable the street tree to be in the street. Additional street trees required to

address the gap in street tree provision along Street 1 where it runs adjacent to the Public Open Space.

b. Street 2 (Local Green Corridor): Enhanced planting shall be provided by additional street trees, hedgerows, grassed and planted swales and small scale SuDS as appropriate to create a Local Green Corridor along this street.

c. Street 7 (Strategic Green Corridor) Extend the planting proposed within the western boundary of the Local Park southwards to strengthen existing proposals and create the required Strategic Green Corridor.

d. Street 8 As above (1). There are gaps in street tree provision i.e. street tree/hedgerow spacing is c. 50metres. Ensure Street Tree provision every 2 parallel or 5 perpendicular car park spaces.

e. Street 9 There are gaps in street tree provision i.e. street tree spacing is c. 35metres. Additional Street Tree provision required.

f. All Streets: Where blocks of car parking are proposed, SDCC require Street Trees to be provided as per the Scheme.

g. Street Trees to be provided fully in Public Areas to be an integral part of the street rather than in front gardens. The applicant is referred to the Clonburris SDZ Planning Scheme 2019, Clonburris SDZ Parks and Landscape Strategy and DMURS (2019) for guidance on street tree provision and appropriate design layouts for local streets and homezones.

8. All Street Trees planted within the Public Realm shall have suitable tree pits that incorporates SuDS features including sufficient growing medium.

9. Street Trees to be planted at:

- Minimum 18-20m girth along local streets
- Minimum 16-18cm girth on intimate local roads, i.e. homezones.

REASON: In the interests of adequate Green Infrastructure provision in accordance with the Planning Scheme.

8. Tree and Hedgerow Protection

Prior to the submission of the Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site including any related construction activity or tree felling:

i) The developer shall engage the services of a qualified arborist as an arboricultural consultant, for the entire period of construction activity and shall notify the planning authority of that appointment in writing. This is to ensure the protection of trees and hedgerows to be retained within and adjacent the site.

ii) The applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in The Tree File Ltd drawing titled Clonburris Tree Impacts/Protection Plan EAST, dated June 2022 and Arboricultural Report as submitted on November 2021.

iii) A tree and hedgerow protection strategy including a Construction Stage Tree Protection Plan and Construction Stage Arboricultural Method Statement, prepared by a qualified arborist as recommended within the Tree File Ltd, Arboricultural Report in accordance with the Arboricultural Method Statement. The strategy shall include all land within the 30m buffer zone and the Fonthill Road embankment.

ii) Pre Development Photo's: the applicant shall submit photographs and confirmation that fencing for retained trees/hedgerows meets BS5837:2012. 'Trees in Relation to Design, Demolition and Construction – Recommendations' for the written agreement of

the Public Realm Section. This shall include a location map of where each picture was taken from.

iii) All land within the 30m buffer zone is to be fenced off to protect it. Such an area is very sensitive to development, it should not be used for stockpiling soils or material or for any other storage function. It should not be dug up or the ground otherwise disturbed. Areas of vegetation, hedgerows and individual trees to be protected with fencing to be as BS5837: Trees in relation to design, demolition, and construction.

iv) All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.

v) The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate is to 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 planning authority for written agreement upon completion of the works.

REASON: To ensure the protection, safety, prudent retention and long term viability of trees to be retained on and immediately adjacent to the route.

9. Tree and Hedgerow Bond and Arboricultural Agreement

a) Prior to the submission of the Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site including any related construction activity or tree felling, the applicant shall lodge a Tree and Hedgerow Bond to the value of €858,250 or as otherwise agreed by the Council, subject to a minimum bond to ensure adequate protection of existing trees on site. Any reduction in the tree bond shall be considered in relation to compensatory measures regarding tree and hedgerow protection implemented on the subject site or/and on lands across the SDZ that the applicant can demonstrate sufficient legal interest towards.

b) The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

c) An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded 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.

REASON: to ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site.

10. Tree and Hedgerow Retention

Prior to the submission of Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site, the applicant, owner or developer shall have lodged with the Planning Authority for agreement by Public Realm, a hedgerow management plan that shows the amount of hedgerow being removed (mapped and linear metres) and the amount of compensatory/replacement hedgerow being planted (mapped and linear metres) as part of the proposals.

REASON: In the interests of adequate GI provision and compliance with the Planning Scheme in relation to monitoring of hedgerow removal.

11. SUDS

Prior to the submission of the Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site, the applicant, owner or developer shall have lodged with the Planning Authority for written agreement, a revised SuDS/blue-green infrastructure proposal that demonstrate:

- ii. Swales to be planted with native and pollinator perennial riparian wildflowers using local species. Full species lists for the SDZ can be found in Ecological Survey of Clonburris (FERS Ltd., 2018).
- iii. Details on how the SuDS elements function.
- iv. Drainage and Landscape proposals to be consistent regarding SuDS provision. There are still conflicts for example, swale located within the south-eastern local park should be included in the drainage engineers proposals and calculations for attenuation/ delivery of SuDS.
- v. Inclusion of all above ground SUDS features in attenuation calculation
- vi. Paths in Public Open Spaces used to attenuate water to be a permeable solid surface rather than self binding gravel.

The revised SuDS shall address the following:

The Clonburris SDZ strategy requires a green infrastructure based approach to drainage and stormwater management. SuDS are to be designed as an ecological resource designed into the street, public squares and open space network. These shall be of a high quality, designed as a series of 'wet' and 'dry' landscape elements to achieve a multifunctional space for amenity, biodiversity and surface water management.

It is essential that open spaces accommodating SUDS measures such as attenuation ponds and swales are designed in order to achieve a balance between surface water management and high-quality open space. The scheme requires:

- A system of infiltration trenches, tree pits, permeable paving, swales, green roofs, and other elements that should direct surface water to attenuation areas.
- Swales designed as linear landscape elements to enhance streetscape and neighbourhood character and identity.
- Surface water to be captured and treated within the curtilage of each site using green roofs, rainwater gardens, filter trenches or bio retention units.
- The perimeter attenuation areas to be profiled to enable walkways, high quality planting, amenity edges, and habitat establishment.
- Open spaces to have 'important Sustainable Urban Drainage System functions' with 'SUDS features such as major detention ponds and swales' and 'Retention and enhancement of selected hedgerow'.
- Local Parks and Squares to 'include local level SuDS function with small swales and

bioretention areas and Retention and enhancement of selected hedgerow

- Local Links to incorporate 'Tree lined street and avenues' and 'small scale SUDS features such as swales, where appropriate'

REASON: For Climate resilience and to improve amenity and biodiversity on site in accordance with the Planning Scheme. To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

12. Landscape Plan

Prior to the commencement of development, the applicant shall submit a revised detailed landscape plan, for the written agreement of the Planning Authority, with full works specification, that accords with the specifications and requirements of Council's Public Realm Section. The revised landscape plan shall integrate tree planting and SuDS drainage to provide strong green infrastructure links throughout the development in accordance with Clonburris SDZ Planning Scheme, Parks and Landscape Strategy and Biodiversity Management Plan.

Proposed ornamental planting in areas for Taking in Charge are still shown on the Landscape Master Plans Sheet No's 1738_PL_P_04 to 06. The proposed ornamental shrub planting within Canal Park and Streets/Public Realm; and the proposed ornamental grass planting within the swales would require labour intensive maintenance and therefore are not suitable for Taking in Charge by South Dublin County Council. SDCC can take in charge trees, hedgerow, grass, wildflower and bulb areas. Plant species to be predominantly native and/or pollinator friendly. The applicant shall remove this ornamental planting from Taking in Charge areas on the revised plans.

The revised Landscape Proposals shall incorporate:

- i. Street trees that are in line with the requirements set out in the Clonburris Strategic Development Zone Planning Scheme (Clonburris SDZ) 2019' and the 'Design Manual for Roads and Streets (DMURS) 2019. Street tree provision to incorporate small scale SuDS features that enhance biodiversity, provide amenity, manage surface water volume while providing water quality treatment.
- ii. Details of street tree planting to be submitted to the Public Realm Section of SDCC for agreement. Urban tree pits to include SUDs measures / storm water attenuation. The developer shall submit cross section details of the SUDs tree pits, including growing and drainage/storage media.
- iii. Street trees Size at planting a minimum of 18 to 20-centimetre girth (cmg) within local streets and a minimum of 16 -18 cmg on intimate local streets (homezones) as per the requirements of the Clonburris SDZ Parks and Landscape Strategy.
- iv. Retained, removed and compensatory hedgerow to be clearly identified on Landscape Plans.
- v. Parkland/Open Space tree planting to include a range of semi-mature specimens that are a minimum of 20-25cmg and specimen ornamental trees to include trees that are 30-35 cmg.
- vi. Details of all natural SuDS features including swales, rain gardens, bioretention tree pits, channel rills, filter strips, ponds, detention basins with lower areas allowed to fill first (low flow channels), wetlands etc
- vii. Landscape masterplan/planting plan to clearly delineate street lighting to ensure street tree proposals are realistic. If this is not currently the case, proposals to be revised to

ensure street tree delivery.

- viii. Tree and hedgerow protection measures: show extent and position of tree and hedgerow protection fences including protection of all vegetation within the 30m pNHA buffer zone.
- ix. Construction Stage Arboricultural Methods Statement and Tree Impact Plan.
- x. Implementation timetables.
- xi. Grassed areas and slopes need to provide for safe grass cutting (generally 1 in 8 slope, max 1 in 6) with ride on lawn mowers or tractor with a 16 foot mower pulled behind.
- xii. Detailed proposals for the future maintenance/management of all landscaped areas.
- xiii. Lockable (preferably automated) vehicular access to local parks and that maintenance vehicular access is possible where required throughout the park area.
- xiv. Full entrance details for pedestrians and cyclists that minimise the need for removable bollards.
- xv. Local Park boundaries to have railing suitable to public realm, i.e. a low wall with heavy duty round bar, minimum 16mm diameter galvanised and powder coated matt black metal railing, 1.8m high, suitable for public realm
- xvi. Boundary details and planting to be to taking in charge standard and to be agreed with SDCC Public Realm
- xvii. Indicate location of chestnut paling in localised areas to protect existing vegetation within the pNHA and to prevent desire lines or paths forming through this sensitive area.
- xviii. All areas proposed for taking in charge shall be to a taking in charge standard that ensures ease of maintenance including ease of access. Soft landscape areas intended for taking in charge should predominantly consist of grass, hedges, trees, woodland planting, meadowland or bulb planted areas using predominantly native and/or pollinator friendly species and comply with the requirements of the Clonburris SDZ Biodiversity Management Plan. Trees to be grouped appropriately to enable access to meadowlands for cutting.
 - a. avoid use of ornamental ground cover or ground cover or treatments that need intensive maintenance or herbicide use e.g. For ornamental planting proposed within the Local Park on Drawing No. 1738_PL_P_06 Landscape Site Plan 03 is not suitable for taking in charge.
 - b. extensive areas of herbaceous perennial ground cover should also be avoided.
 - c. minimise the use of shrubs that require regular maintenance
 - d. the exception to the planting criteria above are the planted swales required for SuDS where riparian planting is required. Swales to be planted with wildflowers.
- xix. Open space shrub planting within Canal Park to be native and include pollinator friendly species. Suitable species include hazel *Corylus avellana*, wild privet *Ligustrum vulgare*, guelder rose *Viburnum opulus* and yew *Taxus baccata*.
- xx. Native species shall be used for formal hedging proposed within Clonburris SDZ e.g. residential. Suitable species include hazel *Corylus avellana*, wild privet *Ligustrum vulgare*, guelder rose *Viburnum opulus* and yew *Taxus baccata*.
- xxi. Short N-S lengths of formal hedging in semi-private areas off Street 8 that enclose seated areas to be removed – contact Public Realm for clarification.
- xxii. Woodland planting should use the Miyawaki technique (3-5/m²) in order to establish quickly and reduce maintenance costs. This will require an establishment period and maintenance of 5 years for newly planted woodland areas prior to taking in charge.

- xxiii. Paths to be a permeable solid surface within flood attenuation areas.
- xxiv. All playspace surfacing to be engineered woodchip surfacing.
- xxv. Any sand play areas to be enclosed with fencing.
- xxvi. Details of all play items and natural play features to be provided and agreed with SDCC Public Realm Section.
- xxvii. The relevant requirements of the Clonburris Parks and Landscape Strategy.
- xxviii. Landscape Proposals to reflect the requirements of Condition 1 to 9 above to deliver the required green infrastructure.

REASON: In the interest of amenity, compliance with Clonburris SDZ Planning Scheme, Parks and Landscape Strategy, Biodiversity Management Plan; the provision, establishment and maintenance of a reasonable standard of landscape; and proper planning and sustainable development of the area.

13. Play

Prior to the submission of the Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site, the applicant, owner or developer shall have lodged with the Planning Authority for agreement by Public Realm, proposals that demonstrate details of all play items, natural play features and safety surfacing.

The applicant is recommended to contact Public Realm section to agree details of the natural play proposals.

REASON: To uphold the policies of the South Dublin County Council Development Plan 2022-2028 relating to Children's play, and to provide for the proper planning and sustainable development of the area.

14. Ecology

Prior to the commencement of any works on site, the applicant shall

(a) provide revised plans that redesign of the current arrangement of north-south streets is to be amended to allow for the inclusion of appropriate Green Infrastructure links between the Grand Canal Park and the Railway Corridor.

(b) submit a site specific Biodiversity Management Plan for the written agreement of the Planning Authority. The shall include details of any site clearance works and/or the establishment of access routes and site compounds, the applicant is requested to contact SDCC Heritage Officer prior to the submission of the BMP.

(i) The BMP shall be devised by a qualified and experienced ecological expert/ecological team who can demonstrate previous experience of devising and implementing such a plan. Contact details of the ecological expert/team are to be forwarded on appointment to the Planning Authority.

(ii) The BMP shall clearly demonstrate how it proposes to adhere to and implement the ecological objectives and recommendations of the Clonburris SDZ Scheme, the Clonburris SDZ Biodiversity Management Plan, and the Parks and Open Space Strategy. Particular focus is to be placed on demonstrating the retention and enhancement of an appropriate level of existing biodiversity, the robust and sustainable nature of any proposed replanting, the strengthening of exiting GI links, and the creation of new and appropriate green infrastructure.

(iii) The integration of the objectives and actions of the BMP into the overall project Construction Management Plan shall be clearly outlined and demonstrated

(iv) The BMP will clearly indicate how the implementation of the BMP will be monitored, with appropriate remediation measures where shortfalls may occur.

(c) An Ecological Clerk of Works (ECoW) shall be appointed to oversee the day to day operation and implementation of the agreed BMP and its actions. The ECoW shall liaise throughout the pre-construction and the construction phase with the Planning authority's Heritage Officer.

(d) The ECoW shall liaise closely with other project construction teams, particularly (but not restricted to) the lighting design team and the landscape design team. This is to ensure maximum protection for existing and proposed habitats and the protection of protected species including bats, otters and crayfish.

REASON: To ensure adherence of the proposed development with the Clonburriss SDZ Scheme, the Clonburriss Biodiversity Management Plan, and the Clonburriss Parks and Open Space Strategy, and to ensure that appropriate protection is afforded to protected species and biodiversity in general by way of an integrated and functioning green infrastructure network on the site.

15. Materials and Finishes

Prior to the commencement of development the applicant shall submitted materials and finishes of the development for the written agreement of the Planning Authority.

REASON: in the interests of visual amenity.

16. Roads.

Prior to the commencement of development, the applicant is requested to provide a revised plan, which incorporates the following:

a. details of a revised bicycle parking layout which adheres to the minimum rate set out in Table 12.23 of the SDCC Development Plan 2022-2028. The plan shall also indicate where the location of the electric charging points for bicycles will be.

b. details of turning manoeuvres to any parking court provided to the south of Block 1.

REASON: In the interests of sustainable transport and highway safety.

17. Restriction on Use and Occupancy.

Each proposed residential unit shall be used and occupied as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, (including short-term letting).

REASON: To prevent unauthorised development.

18. Phasing.

A total of 569 residential units comprising houses and duplex apartments is hereby permitted. In accordance with the details submitted the following shall apply,

(a) Prior to the commencement of development, the developer/landowner shall submit for written agreement of the Planning Authority, a detailed phasing schedule for the lands in their ownership (specifying units numbers and densities) in the context of the delivery of units in the overall SDZ development. The sequence in which works are carried out shall be subject to the written agreement of the Planning Authority. Individual blocks shall generally be completed in full as part of a single phase of construction.

(b) Following written agreement of a phasing schedule with the Planning Authority, a plan shall also be submitted identifying the units completed at each stage of development.

(c) No unit in the development hereby approved, shall be occupied until the required facilities and infrastructure in the previous development phase have been completed to the satisfaction of the Planning Authority.

REASON: In the interest of clarity and to ensure that development occurs at a pace

whereby it is supported by the necessary infrastructure in accordance with the requirements of the Clonburris SDZ Planning Scheme 2019.

19. Irish Water Connection Agreement.

1. The applicant shall sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
2. All development shall be carried out in compliance with Irish Water Standards codes and practices.
3. Any proposals by the applicant to divert or build over existing water or wastewater services shall be submitted to Irish Water for written approval prior to works commencing.
4. Separation distances between the existing Irish Water assets and proposed structures, other services, trees, etc. shall be in accordance with the Irish Water Codes of Practice and Standard Details.
5. In the instance there is no agreement of setback distance with the current building line, a revised design of the impacted area shall be agreed in writing with the Planning Authority.

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

20. Drainage.

- (a) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.
- (b) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

21. Permission Required for Class 1 & 3 Exemptions.

Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001 as amended, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations and any statutory provision replacing or amending them shall take place within the curtilage of the proposed development without a prior grant of planning permission.

REASON: In order to ensure that a reasonable amount of rear garden space is retained for the benefit of the occupants of the dwelling, compliance with Development Plan policy, and in order to protect the residential amenity of the area.

22. Mitigation Measures.

All mitigation measures set out in the documentation submitted in support of the application, including in particular those set out in the EIAR Main Report, Appendices and Addendum, Energy Statement, Building Life Cycle Report shall be implemented in full.

REASON: In the interest of the protection of the environment.

23. Inland Fisheries.

The following requirements of Inland Fisheries Ireland shall be adhered to on site; Construction works shall be in line with a detailed Construction Management Plan (CMP) specific to this site which shall identify potential impacts and mitigating measures

and provide a mechanism for ensuring compliance with environmental legislation and statutory consents. The Construction Management Plan shall detail and ensure Best Construction Practices including measures to prevent and control the introduction of pollutants and deleterious matter to surface and groundwater and measures to minimise the generation of sediment and silt. In the event that any invasive plant species are located on site the CMP shall address their containment and appropriate treatment (further information available at www.invasivespeciesireland.com).

REASON: In the interests of public health and to ensure no negative impact on fisheries status.

24. Construction Consultation and Local Liaison

(a) Prior to the commencement of development, the applicant/owner shall submit the following to the Planning Authority.

(i) the names, job functions and phone numbers (both fixed line and mobile numbers) of all key personnel for the construction of the development as approved. Subsequently all changes in these personnel or particulars in the course of construction must also be notified to the Council as soon as they occur.

(b) The applicant/owner or developer shall provide occupiers of noise sensitive properties within 100 metres of agreed construction access points to the development as approved with appropriate contact details which may be used in the event that any such person wishes to inform the operator of any incident that could give rise to a disruptive aspect of construction activity, or otherwise to make an observation in respect of an aspect of construction activity.

(c) A public notice shall be erected and maintained at the agreed construction access points. This notice shall contain the name of the operating company and contact details, including out of hours contact, which may be used in the event that any person wishes to contact the operator in respect of any disruptive aspect of construction activity.

REASON: In the interests of amenity, public health and safety, the avoidance of unnecessary disruptive aspect of construction activity and the proper planning and sustainable development of the area.

25. Public Realm Facilities for Charging Electric Vehicles.

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

(i) a revised site layout plan clearly setting out full details of the location of all proposed facilities and equipment in the public realm (whether to be offered for taking in charge or not) for charging electric vehicles, including details of the overall height, design, colour and all safety features of such equipment including isolation of power supply, and measures to provide for suitable pedestrian safety, along with completed Electrical designs to serve the development as approved prepared by competent electrical design consultants all of which have been agreed with the Council's Roads Section, and
(ii) Agreed arrangements for the operation and management of such facilities for charging electric vehicles, along with:

All facilities for charging electric vehicles should be clearly marked as being designated for Electric Vehicle charging. Appropriate signage clearly indicating the presence of a Charge Point or Points should also be erected. All Charge Points fitted in publicly accessible areas should be capable of communicating usage data with the National Charge Point Management System and use the latest version of the Open Charge Point Protocol (OCCP). The facilities for charging electric vehicles should also support a user

identification system such as Radio Frequency Identification (RFID).

REASON: In the interests of the proper planning and sustainable development of the area, to provide for improved urban air quality, reduced noise pollution and to support the transition to a low carbon future.

26. Environmental Health.

1. No heavy / noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 hours on Saturdays nor after 19:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

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

3. During the construction / demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.

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

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

6. Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A).

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

8. Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.

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

REASON: In the interests of environmental health.

27. Prevention of Spillage or Deposit of Debris on Adjoining Public Roads During Construction Works.

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

(i) a site specific plan making provision as set out below for the prevention of spillage or deposit of clay, rubble or other debris on adjoining public roads during the course of any construction works that fully complies with all of the requirements of the Council's Roads Maintenance, Traffic Management, and Waste Enforcement Sections as appropriate, The agreed plan shall provide for all of the following.

(a) The agreed number, location, type and use of suitable facilities for vehicle cleansing and wheel washing provided on site to contain all clay, rubble or other debris within the site prior to commencing of construction, such facilities to be maintained in a satisfactorily operational condition during all periods of construction.

(b) Location of all on-site car parking facilities provided for site workers during the

course of all construction activity.

(c) Provision for dust suppression measures in periods of extended dry weather.

(d) Provision for the flexible use of a road sweeper if an acute situation on the adjoining public road requires it.

(e) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater.

(f) Storage of construction materials is not permitted on any public road or footpath, unless agreed in writing with the Planning Authority, having regard to the prior reasonable justification and circumstances of any such storage.

REASON: In the interest of protecting the amenities of the area and in the interest of public safety and the sustainable maintenance of adjoining roads and footpaths.

28. Archaeology.

a. Prior to the commencement of development, the applicant shall engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the development site. No sub-surface developmental work, including geotechnical test pits, should be undertaken until the archaeological assessment has been completed and commented on by the Department of Housing, Local Government and Heritage. Any such assessment should be submitted for the written agreement of the Planning Authority.

b. The archaeologist shall carry out any relevant documentary research and inspect the development site. The archaeological assessment shall include the results of a geophysical survey and test trenching that shall be carried out at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings and the National Monuments Service of the Department of Housing, Local Government and Heritage. Buffer zones should be established around recorded monuments DU017-035----Class: Enclosure and DU017-036----Class: Enclosure.

c. Having completed the work, the archaeologist shall submit a written report stating their recommendations to the Planning Authority and to the Department of Housing, Local Government and Heritage for their written agreement. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.

REASON: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

29. Management Company.

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

(i) A plan clearly identifying and dimensioning the external common areas of the development to be retained in private ownership by an owners' management company (OMC) under the Multi-Unit Developments Act 2011, or other acceptable legal entity prior to the occupation of the [first residential unit], and this plan shall also clearly identify and dimension any areas of the approved development intended to be offered for taking in charge by the Council, and,

(ii) A detailed building lifecycle report which shall include an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of approval of the development, as well as demonstrating what measures have been

specifically considered by the developer to effectively manage and minimise costs for the benefit of all potential residents.

The said external common areas of the development to be retained in private ownership indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained in perpetuity by an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011.

B. Continued membership of an Owners' Management Company set up for this purpose pursuant to the Companies Acts, 1963 as amended and the Multi-Unit Developments Act 2011 shall be compulsory for all owners for the time being of property within the development.

C. No development shall take place under this permission until the applicant, owner or developer has lodged for the written agreement of the Planning Authority.

(i) A copy of the Certificate of Incorporation of the said Company responsible for the external common areas of the development to be retained in private ownership has been lodged with the Planning Authority in respect of the plan required above.

D. Any changes to the status or nature of the Owners' Management Company shall be notified to the Council forthwith.

E. The Owners' Management Company shall hold insurance for public liability risk at all times for all areas under its control or responsibility.

REASON: To ensure a proper standard of residential development and maintenance of the private areas within the development and compliance with the South Dublin County Council Development Plan.

30. Council Housing Strategy.

That the applicant, owner or developer, or any other person with an interest in the land to which the development as approved relates shall, prior to the lodgement of a commencement notice within the meaning of Part II of the Building Control Regulations 1997.

(i) enter into an agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 (as amended) as referred to in the South Dublin County Council Development Plan, providing, in accordance with that section, for the matters referred to in paragraph (a) or (b) of subsection (3) of section 96, and

(ii) when the agreement with the Housing Authority for compliance with the Part V of the Planning and Development Act 2000 is finalised to the satisfaction of the Housing Authority, a certified copy of the agreement shall be lodged with the Planning Authority.

REASON: To promote social integration consistent with policies/objectives of the Councils Housing Strategy as contained in the South Dublin County Council Development Plan 2022-2028.

31. Street Naming and Dwelling Numbering.

Prior to the commencement of any works on site the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority,

(i) A street naming and dwelling/unit numbering scheme, for the development as approved that is in accordance with the Planning Authority's policy and requirements for such schemes, along with associated proposed signage for the scheme.

The agreed number shall be placed on each house upon completion so as to be clearly legible from the proposed access road or the public realm, and the agreed street name in both Irish and English, or Irish only shall be erected at the beginning of each street in a

manner to be clearly legible, and in accordance with Planning Authority's requirements. The development name should,

1. Avoid any duplication within the county of existing names, and
2. Reflect the local and historical context of the approved development, and
3. Comply with,
 - (a) Development Plan policy, and
 - (b) The guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, and
 - (c) Have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and
 - (d) Preferably make exclusive use of the Irish language.

Proposals for an apartment name and numbering scheme and associated signage shall be lodged with the Planning Authority prior to the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any works on site.

The applicant, developer, or owner is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required scheme.

REASON: In the interest of the proper planning and sustainable development of the area and compliance with the South Dublin County Council's Development Plan.

32. Occupation subject to service connection.

No dwelling unit shall be occupied until all the services (drainage, water supply, electricity and or other energy supply, public lighting and roads) for each dwelling unit have been completed thereto and are operational.

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

33. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

REASON: In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

34. Aviation.

Given the proximity to Casement Aerodrome, operation of cranes shall be coordinated with Air Corps Air Traffic Services, no later than 28 days before use, contactable at airspaceandobstacles@defenceforces.ie or 01-4037681

Due to the proximity to Casement Aerodrome, the developer shall implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.

Given the proximity to Casement Aerodrome this area may be subject to a high level of noise from aircraft operating in the vicinity of the aerodrome.

Given the proximity of the development to Casement Aerodrome, should negative effects become apparent on air or ATC operations as a result of the photovoltaic cells, then the owner shall take measures necessary to mitigate these effects to an acceptable level, without delay.

REASON: In the interests of aviation safety and protecting the amenities of the area.

- 35. Regulation of Institutional Investment in Housing - Mixed unit-type development.**
- (a) Prior to the commencement of any house or duplex unit in the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000 (as amended), that restricts all houses and duplex units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house or duplex unit for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.
- (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

REASON: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

36. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €5,195,576.07 (five million one hundred and ninety five thousand five hundred and seventy six euros and seven cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing

customerservice@water.ie.

37. The developer shall pay to South Dublin County Council a supplementary development contribution in the sum of €1,096,497.60 (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index) pursuant to the provision of Section 49 Planning & Development Act 2000 (as amended) towards the expenditure incurred in the provision of the Kildare Route Project which facilitates this development.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a Supplementary Contribution be made in respect of the upgrade of the Irish Rail, Kildare Route Project.

38. Pursuant to this decision, no development shall be commenced until security for the provision, satisfactory completion and maintenance, to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), of roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development, has been given by:

(A) Lodgement of a cash deposit of €1,508,934.00 (one million five hundred and eight thousand nine hundred and thirty four euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index), to be retained by South Dublin County Council and applied by South Dublin County Council at its absolute discretion, if roads, open spaces, car parks, sewers, watermains, drains and other publicly accessible services required in connection with the development are not duly provided, completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Councils Taking in Charge Policy), or

(B) By lodgement with South Dublin County Council of an approved Insurance Company Bond or a Bond of any Body approved by the Planning Authority in the sum of €1,735,129.00 (one million seven hundred and thirty five thousand one hundred and twenty nine euros) (amount will be updated at the date of commencement of development in accordance with changes in the Tender Price Index) which shall be kept in force until such time as the roads, open spaces, car parks, sewers, watermains, drains and other public services required in connection with the development are provided ,completed and maintained to the taking in charge standard of South Dublin County Council (outlined in the Council's Taking in Charge Policy). The bond shall be coupled with an agreement empowering South Dublin County Council to apply such sum or part thereof of said bond to the satisfactory completion of publicly accessible services in the development.

REASON: To ensure that a ready sanction may be available to South Dublin County Council to induce the provision of public services and safeguard amenity in the development.

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

NOTE: The applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

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

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

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

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

Signed on behalf of the South Dublin County Council.

Pamela Hughes
for Senior Planner

26-Aug-2022

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

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

A) APPEALS

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

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

Telephone 01-858 8100

