

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:	1280	Date of Decision:	31-Oct-2023
Register Reference:	SDZ22A/0018	Date:	06-Oct-2023

Applicant: Cairn Homes Properties Ltd.

Development: Construction of a mixed-use development comprising 594 apartments, office floorspace, 4 retail units, a creche and urban square in the Clonburris Development Areas CUCS3 & CSWS3 of the Clonburris SDZ Planning Scheme 2019 as follows, 594 apartments (255 one bedroom apartments, 307 two bedroom apartments and 32 three bedroom apartments (all apartments to have terrace or balcony; ancillary communal amenity spaces for residents) as follows; Block A (4 and 6 storeys with undercroft) comprises 96 apartments consisting of 36 one bedroom apartments, 48 two bedroom apartments and 12 three bedroom apartments (with creche c. 609sq. m at ground and first floor as well as play area; Block B (6 storeys with undercroft) comprises 77 apartments consisting of 44 one bedroom apartments, 28 two room apartments and 5 three bedroom apartments; Block D (5 and 7 storeys with undercroft) comprises 71 apartments consisting of 39 one bedroom apartments and 32 two bedroom apartments; Block E (6 storeys with undercroft) comprises 100 apartments consisting of 47 one bedroom apartments, 48 two bedroom apartments and 5 three bedroom apartments; Block F (5 and 7 storeys with undercroft) comprises 124 apartments consisting of 57 one bedroom apartments, 61 two bedroom apartments and 6 three bedroom apartments; Block G (1, 2 and 4 storeys with undercroft) comprises 65 apartments consisting of 16 one bedroom apartments, 45 two bedroom apartments and 4 three bedroom apartments; Block H (4 storeys with undercroft) comprises 61 apartments consisting of 16 one bedroom apartments and 45 two bedroom apartments; Mixed use development comprising, commercial office development in Block C of 6 storeys with parapet above to 7 storey equivalent on elevations (c. 4, 516sq.m), 1 retail unit at ground floor of Block B (c.147.5sq. m) and 3 retail units at ground floor of Block E as follows (c.106.2sq.m, c.141.6sq.m and

c.492.2sq.m respectively) as well as a creche (c. 609sq. m) at ground floor and first floor of Block A; Vehicular access will be from the permitted Clonburris Southern Link Street (SDZ20A/0021) and R 113 to the east; Public Open Space/landscaping of c. 0.52 hectares (urban square) and linear open space (0.72 hectares) as well as a series of communal open spaces to serve apartments over undercroft level (and internal communal open space c. 685 sq.m; The development will also provide for all associated works and infrastructure to facilitate the development to include all ancillary site development works including footpaths, landscaping boundary treatments, public, private open space areas, car parking (396 no. spaces in a mixture of undercroft spaces Block A, Block B&D and Block E&F) and bicycle parking (1, 232 spaces at undercroft and surface levels), single storey ESB substations/bike/bin stores, green roofs, solar panels at roof level of apartments, plant areas within blocks and all ancillary site development/construction works; Permission is also sought for 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.

Location: Within the townland of Cappagh, Clonburris, Dublin 22

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 17-Feb-2023/24-Jul-2023

Clarification of Additional Information Requested/Received: 18-Sep-2023/06-Oct-2023

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 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 25 July 2023 and Clarification of Further Information received on 6 October 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) Revised design and additional landscaping for the staircase proposed on the east elevation of Block A
 - (b) Details of waste storage areasREASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3. Block C.
 - a. Prior to the commencement of development on the site, the applicant shall submit interim landscaping proposals for the footprint of office block C for the written agreement of the planning authority. Interim landscaping proposals may include moveable items such as seating benches, large volume planters, loose aggregate surfacing and the proposals shall provide for the opening of this space to the public on a temporary basis. The agreed proposals shall be implemented and opened in tandem with phase 1 of the development and shall be removed no longer than 3 months in advance of the commencement of works to office block C.
 - b. Prior to the occupation of Block C, the applicant shall submit the following for the written agreement of the Planning Authority:
 - 10% of the employment floorspace shall be in the form of small-medium sized units/ incubation units of between 100 – 300sq.m.REASON: in the interests of visual amenity and compliance with the SDZ Scheme.
4. Commercial/Retail Units
 - a) Details of the intended use and occupier of each individual commercial/retail unit (whether retail, retail services, café / restaurant or other commercial) shall be agreed in writing with the Planning Authority prior to occupation in order to ensure an appropriate range of uses in the Clonburris Urban Centre.

(b) The permitted commercial/retail units shall not be subdivided and / or amalgamated unless revised plans are submitted to the Planning Authority and are agreed in writing prior to the first occupation of each unit.

(c) In any case, no permitted unit shall be subdivided to form more than 2 no. units, and no more than 2 no. permitted units shall be amalgamated without the benefit of a separate planning permission.

(d) Where units are amalgamated or subdivided in accordance with (b) above, the applicant shall submit details of any proposed alterations to the shopfronts where doors are being inserted or removed for the written agreement of the Planning Authority.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

5. Deliveries to retail

Deliveries to the retail/commercial premises should be restricted to the daytime hours of 7:00 to 18:00, unless as otherwise agreed in writing with the Planning Authority.

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

6. Hours of Operation.

Prior to the occupation of each commercial / retail unit, the applicant / owner shall submit details of the proposed occupier and the associated opening hours and hours of operation for the written agreement of the Planning Authority.

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

7. Phasing.

Prior to the commencement of development the applicant/developer shall submit to the Planning Authority for written agreement a detailed phasing programme for the approved development that fully accords with the requirements of the Planning Authority.

REASON: To ensure the orderly implementation and proper planning and sustainable development.

8. SDZ Phasing.

Prior to the commencement of development, or as otherwise agreed in writing with the Planning Authority, the developer/landowner shall submit the following for written agreement of the Planning Authority;

(a) The total no. of units permitted and the designation of these units to a phase(s) of the Planning Scheme,

(b) Subject to (a), occupation of units cannot proceed until the minimum delivery in the relevant preceding phase as per Table 4.3 Phasing Table (or as otherwise amended by the Development Agency) in the Planning Scheme is agreed in writing by the Planning Authority as delivered or otherwise agreed in writing with the Planning Authority having regard to the Planning Scheme.

(c) The designation in part a) shall provide cumulative details for the occupied units in the SDZ per Phase including written agreement of relevant landowners in the SDZ or landowner representative to the designation proposed;

REASON: To ensure the orderly implementation and proper planning and sustainable development of the Planning Scheme for Clonburris.

9. 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, without a specific grant of planning permission for same (including short-term letting).

REASON: To prevent unauthorised development.

10. 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.

11. 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.

12. Council Housing Strategy.

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 2022-2028, 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 2016-2022.

13. 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.

14. 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.

15. Drainage.

(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.

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

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

16. 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.

17. 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.

18. 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.

19. Ducting within apartment building scheme.

Prior to the commencement of the development on the apartment building located in the west of the application site, and unless otherwise agreed in writing, the developer shall engage with Planning Authority in relation to the provision of ducting within the apartment building scheme that shall be capable of connecting directly into any shared duct network provided by the South Dublin County Council or associated body. Where required, details of this connection shall be provided to and agreed in advance of the construction of the ducting network within the site area.

REASON: To ensure the orderly implementation and proper planning and sustainable development.

20. Materials and Finishes

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

REASON: in the interests of visual amenity.

21. Signage.

No advertising sign(s) or structure(s) (including any signs installed to be visible through windows), banners, canopies, flags, or other projecting elements shall be erected except those, which are exempted development, without the prior approval of the Planning Authority or An Bord Pleanála on appeal.

REASON: In the interest of visual amenity, compliance with development plan policies and the proper planning and sustainable development of the area.

22. Construction Environmental Management Plan

Prior to the commencement of development, the applicant/developer shall submit a site-specific Construction Environmental Management Plan (CEMP) for the written agreement of the Planning Authority. The CEMP should 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. Details around storage of construction materials, dust suppression and construction-related fuel and oil and roofed bunds that exclude rainwater shall be included. 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. The CEMP should provide for the assignment of a designated, suitably experienced, and person during the construction phase, to monitor and ensure all environmental mitigation measures are implemented and functioning correctly and related record of checks shall be maintained and made available for inspection.

REASON: In the interests of good water quality and the proper planning and sustainable development of the area.

23. Further Development.

No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennae or equipment, unless authorised by a further grant of planning permission or agreed in writing by the Planning Authority prior to the commencement of development.

REASON: To protect the visual amenities of the area.

24. Mitigation.

The mitigation measures and commitments identified in the EIAR and Energy and Sustainability Report and other plans and particulars submitted with the planning application, as amended by the additional information and clarification of additional information received, shall be implemented in full by the developer, except as otherwise may be required in order to comply with other conditions.

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

25. Aviation.

The applicant shall notify the Irish Aviation Authority and the Property Management Branch of the Department of Defence – Casement Aerodrome of the intention to commence crane operations with at least 30 days prior notification of their erection.

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

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. 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).

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

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

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

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

REASON: In the interests of protecting the amenities of the area.

27. Archaeology.

Prior to the commencement of development, the developer shall engage a suitably qualified archaeologist to monitor (licensed under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks and/or dredging within the development site. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.

2. A Method Statement for the licensed archaeological monitoring, to be approved by the National Monuments Service, will include methodology for the preservation by record of features associated with the recorded monument RMP DU017-036---
Enclosure.

3. Should additional archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the planning authority, in consultation with the National Monuments Service, regarding appropriate mitigation [preservation insitu/excavation].

4. The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer.

5. Following the completion of all archaeological work on site and any necessary postexcavation specialist analysis, the planning authority and the Department of Housing, Local Government and Heritage shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

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

28. Roads.

1. Prior to commencement of development, the applicant shall prepare and submit a (i) Construction Traffic Management Plan and (ii) Construction & Demolition Resource Waste Management Plan - that accords with Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects 2021 - for the written agreement of the Planning Authority. Thereafter the development shall be carried out in accordance with these agreed details.

2. A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority. REASON: In the interest of sustainable transport.

3. Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme with South Dublin County Council Lighting Department.

REASON: In the interests of orderly development and road safety.

29. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €7, 133, 963.55 (seven million one hundred and thirty three thousand nine hundred and sixty three euros and fifty five cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning

and Development 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.

30. Financial Security - Cash or Bond.

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, 311, 036 (one million three hundred and eleven thousand and thirty six 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, 507, 602 (one million five hundred and seven thousand six hundred and two 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.

31. Financial Contribution - Kildare Route.

The developer shall pay to South Dublin County Council a supplementary development contribution in the sum of €1, 299, 482.86 (one million two hundred and ninety nine thousand and four hundred and eighty two euros and eighty six cents) (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.

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 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: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

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.

NOTE: The applicant is advised to ascertain and comply with the requirements of Tusla, the Child and Family Agency, in relation to matters such as floorspace, playspace and staff/child ratios, etc.

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

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

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

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

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

Signed on behalf of the South Dublin County Council.

Pamela Hughes
for **Senior Planner**

31-Oct-2023