



28th November 2023

Land Use, Planning & Transportation Department,
South Dublin City Council,
County Hall,
Tallaght,
Dublin 24,
D24 A3XC

Re:

**Compliance with Planning Condition No. 32 of
Grant of Permission Ref. SDZ22A/0010.
Permitted development in the
Clonburris Urban Centre (CUC-S4)
and Clonburris South East (CSE-S1 & CSE-S2)
of the Clonburris Strategic Development Zone (SDZ).**

Dear Sir/ Madam,

1.0. Introduction

- 1.1.** On behalf of our client, Kelland Homes Ltd., we, Armstrong Fenton Associates, of 13 The Seapoint Building, 44/45 Clontarf Road, Clontarf, Dublin 3, D03 A0H3, wish to submit the following and enclosed details of compliance with the planning condition no. 32 attached to the grant of permission under Ref. SDZ22A/0010
- 1.2.** An order to grant permission under Ref. SDZ22A/0010 was issued by South Dublin County Council on 3rd April 2023. The permitted development is located west of the Ninth Lock Road, south of the Dublin-Cork railway line, north of Cappaghmore housing estate and Whitton Avenue, and east of an existing carpark / park & ride facility at the Clondalkin Fonthill train station and the R113 (Fonthill Road)
- 1.3.** The development, as applied for, consisted of, *inter alia*, 294 no. dwellings, creche and retail / commercial unit. It should be noted that the grant of permission received includes for 32 no. conditions which have appropriately amended the development as applied for. These amendments are detailed in the various individual compliance submissions being issued to the Planning Authority for agreement.
- 1.4.** The subject compliance submission relates to **Condition No. 32** of the grant of permission received i.e., the submitted construction and demolition resource waste management plan (RWMP) for the permitted development. The details of our compliance submission in relation to **Condition No. 32** can be found in section 2 below. Appendix A of this compliance letter details the full list of enclosures which accompany this compliance submission – please refer to same in conjunction with the reminder of this compliance letter.



2.0. Compliance Submission

Subject Condition (Condition No. 32)

- 2.1. Condition No. 32 of the grant of permission received relates to submitted RWMP for the permitted development. Condition No. 32 reads as follows:

“Prior to the commencement of development, the developer or any agent acting on its behalf shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.”

Compliance Submission for Condition No. 32

In compliance with Condition No. 32 of the grant of permission received, Appendix A at the end of this compliance letter provides for a full list of enclosures submitted as part of the subject compliance submission - please refer to the submitted drawings for full details - however, for convenience, the following sub-subsections refer the reader to the relevant drawings for each part of the condition of the grant of permission received.

- 2.2. Further our submission, it should be noted that we made our first compliance submission dated 15th June 2023 which was deemed non-compliant on the 10th of August 2023.
- 2.3. A second submission was made to the council date 28th August 2023 which was also deemed non-compliant by the Council dated 20th October 2023. The Waste Enforcement and Licensing Department provided comments following their non-compliant decision. These include:

“Section 6.3 states. If the total amount of soil to be removed from the site will exceed 1,000 tonnes, the soil will be removed and disposed of by contractors licensed under the Waste Management Act of 1996 (as amended 2001), the Waste Management (Facility Permit & Registration) Regulations of 2007 and the Waste Management (Collection Permit) Regulations of 2007. From Table 5 it would indicate that 94,792.49 tonnes of soil and stones will be reused off site and a further 16,728.1 tonnes disposed of, yet there is no mention of the contractors, their collection permits nor the destination of this material. As the development has already commence and this plan is still not agreed due to missing information the submission is not agreed.”

- 2.4. Further our submission dated 28th August 2023, and in response to the comments provided by the Waste Enforcement and Licensing Department dated 20th October 2023, we wish to submit the following in compliance with **Condition No. 32** of the grant of permission received. We refer the Planning Authority to the enclosed Construction and Demolition Waste Management Plan (RWMP) prepared by Pinnacle Consulting Engineers. The enclosed plan provides waste management packages found in section 7.1 in conjunction with “Table 5: On and Off-Site Reuse, Recycle and Recovery Target Rates for Construction Waste”. This section outlines the material types, disposal methods and handling procedures. This section provides collection and sorting information and permit numbers for each material listed in compliance with the comments received by the council and condition no. 32.

3.0. Conclusions & Enclosures

- 3.1. We fully consider the submitted RWMP showing compliance for the permitted development to be appropriate and in compliance with the grant of permission received. For clarity we confirm that, once agreed, all units will be provided in accordance with the agreed scheme, as per condition of the grant of permission.



- 3.2. We respectfully request that the Planning Authority assess the submitted RWMP for the permitted development in a judicious manner so development can progress as soon as possible, and much needed housing be provided on the subject site.
- 3.3. This compliance submission has been sent electronically via email to the Planning Authority as requested by the compliance section of South Dublin County Council. Should circumstances have changed and printed hard copies of this compliance submission now be required please do not hesitate to contact us at alison@armstrongfenton.com or by telephone number on (01) 47 93 140. Appendix A below provides for a full list of enclosures forming part of the subject compliance submission – please refer to same for details.
- 3.4. We trust all the above and submitted are in order and we look forward to hearing back from the Planning Authority confirming that the submitted RWMP is acceptable and in compliance with **Condition No. 32** of the grant of permission received.

Yours Sincerely,

Alison Nash
Planner
Armstrong Fenton Associates

Appendix A: Full List of Enclosures

Prepared by Armstrong Fenton Associates:

Drawing no.	Title	Scale
N/A	Compliance Condition No. 32 Cover Letter	A4 Letter

Prepared by Pinnacle Consulting Engineers:

Drawing no.	Title	Scale
N/A	Construction Demolition Waste Management Plan Rev 7	A4 Report

