



29<sup>th</sup> November 2023

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

**Re:**

**Compliance with Planning Condition No. 8 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).**

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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. 8 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 3<sup>rd</sup> 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. 8** of the grant of permission received i.e., the submitted management for construction works for the permitted development. The details of our compliance submission in relation to **Condition No. 8** 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. 8)

2.1. Condition No. 8 of the grant of permission received relates to submitted management for construction works for the permitted development. Condition No. 8 reads as follows:

*“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.”*

### Compliance Submission for Condition No. 8

In compliance with Condition No. 8 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, we received a non-compliance decision from the Council dated 10<sup>th</sup> August 2023 with the following comments provided from the Roads Department. These include:

*The applicant has submitted a construction traffic management plan that has some of the details required in condition 8. However, it is difficult to establish if the specific points raised in condition 8 have been addressed. The applicant is requested to submit a concise document addressing each point individually for condition 8”.*

2.3. We wish to resubmit the following in compliance with **Condition No. 8** of the grant of permission received, we refer the planning authority to the enclosed Construction Traffic Management Plan (CTMP) prepared by Pinnacle which provides site specific management and maintenance of the permitted development in accordance with requirements of the Councils Roads Maintenance, Traffic Management and Waste Enforcement Sections. The enclosed CTMP includes the following:

a) We refer the planning authority to Section 4 of the CTMP which includes details of road cleaning /washing that will be used to remove construction related materials such as dirt, mud and debris deposited on the road networks by construction / delivery vehicles. These facilities are to be provided throughout the lifetime of the construction phase of the permitted development to ensure dirt and dust control.

b) Section 3.5 of the CTMP provides detailed information and location of on-site car parking provided for site workers during construction activity. Figure 5 and Figure 14 illustrate car parking locations provided during the construction phase of the development.



- c) Section 4.15 “Dust and Dirt Control” in of the CTMP provides dust suppression methods and techniques that will be used throughout the lifetime of the construction phase for the permitted development. We refer the Planning Authority to section 4.15 in compliance with condition no. 8 (c).
- d) The enclosed CTMP refers to the use of a road sweepers throughout the construction phase. Section 3.2 states that access roads will be cleared using shovel / broom or road sweeper if construction materials are deposited outside the construction site boundary onto surrounding public roads and / footpaths. Section 4.15 of the CTMP provides techniques and methods such as road sweeping / cleaning to control dust, mud and debris from leaving the construction site. Section 4.20 covers “Site Tidiness and Housekeeping”, please refer to same. The CTMP ensures that road edges and footpath are swept on a regular basis thus complying with the above condition.
- e) In compliance with condition no. 8 (e), Section 4.17 and 4.19 of the CTMP provides detailed information of the containment of all construction -related fuel and oil within construction bunds ensuring that fuel spillages are fully contained. Fuels and chemicals will be bunded and stored within double skinned tanks /containers. To protect surface waters, the bunds will be located 50m from any existing watercourse in close proximity to the permitted development. The provided bunds will be roofed to prevent rainwater from infiltrating the bund.
- f) A compound / materials storage area will be provided for the deliveries of construction materials on the site. Figure 8 of the CTMP provides a site location map for the provide storage compound, we refer the planning authority to same.

### 3.0. Conclusions & Enclosures

- 3.1. We fully consider the submitted management for construction works 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 management for construction works 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](mailto: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 management for construction works is acceptable and in compliance with **Condition No. 8** 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:**

<b>Drawing no.</b>	<b>Title</b>	<b>Scale</b>
N/A	Compliance <b>Condition No. 8</b> Cover Letter	A4 Letter

**Prepared by Pinnacle Consulting Engineers:**

<b>Drawing no.</b>	<b>Title</b>	<b>Scale</b>
P200306	Construction Traffic Management Plan	A4 Report

