

Planning Department
South Dublin County Council
County Hall
Tallaght
Dublin 24

Monday, 11th December 2023

Dear Sir/Madam,

Re: COMPLIANCE SUBMISSION IN RESPECT OF A PLANNING PERMISSION FOR THE CONSTRUCTION OF A RESIDENTIAL DEVELOPMENT AT ADERRIG (PHASE 3) IN THE ADAMSTOWN SDZ

SDCC Reg. Ref. SDZ22A/0014

Compliance Submission – Condition Nos. 5, 12, 13 (parts), 20, 22(a)

1.0 INTRODUCTION

This compliance submission is being made by Thornton O'Connor Town Planning¹ in conjunction with Doyle + O'Troithigh Landscape Architecture² (DOT), B&C Building Contractors³, Independent Tree Surveys⁴, BKD Architects⁵ and Sabre Electrical Services Ltd⁶ on behalf of Quintain Developments Ireland Limited⁷ (Quintain) in respect of a permitted residential development at Aderrig (Phase 3) in the Adamstown SDZ.

The submission relates to a decision to Grant Planning Permission made by South Dublin County Council on 19th April 2023.

The purpose of this submission is to address **Condition Nos. 5, 12, 13 (parts), 20, 22(a)** of the Grant.

¹ No. 1 Kilmacud Road Upper, Dundrum, Dublin 14

² Pembroke House, Nos. 28-32 Upper Pembroke Street, Dublin 2

³ Church Street, Carrickmacross, Co. Monaghan

⁴ Our Lady's Cottage, Drummond, Rosenallis, Co. Laois

⁵ Nos. 6/7 Harcourt Terrace, Dublin 2

⁶ Unit 11, Bellview Industrial Estate, Tolka Valley Road, Dublin 11

⁷ Fitzwilliam Court, Lesson Close, Dublin 2

2.0 **CONDITION NO. 5**

Condition No. 5 required:

"Materials and Finishes

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

2.1 **Compliance Submission for Condition No. 5**

In response to Condition No. 5, please refer to the enclosed booklet prepared by BKD Architects titled *Compliance Condition n.5 - Materials and Finishes*.

3.0 **CONDITION NO. 12**

Condition No. 12 required:

"Street Lighting

- *A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of works on site the applicant, owner or developer shall have lodged with the Planning Authority for written agreement:*
- *A Public Lighting Scheme for the development as approved, designed to provide for high quality public lighting throughout the public realm of the site, prepared by competent public lighting design consultants to BS5489: European Lighting Standard EN13201 2013 or the latest NSAI (National Standards Authority of Ireland) versions approved, and the SDCC Specification for Public Lighting Installations in Residential and Industrial Developments: Revision 2 dated 14/10/2016.*
- *Completed Lighting Design and Electrical designs to serve the entire development including details of the overall height of all proposed equipment shall be lodged with the Public Lighting Scheme. The public lighting scheme shall be contained within the public realm of the development as approved, entirely in areas to be offered for taking in charge or subject to the responsibility in perpetuity of an approved management company.*
- *Appropriate natural or artificial lighting or both shall be provided and maintained throughout car parking areas.*
- *The external lighting scheme shall be designed to minimise potential glare and light spillage and shall be positioned and/or cowled away from residential properties. No lighting column shall be located within the eventual canopy spread of any proposed street tree or other tree as the case may be. The public lighting design consultants should consult with the Council's Parks section in this regard.*
- *In addition, no dwelling unit/commercial unit shall be occupied on any street until the public lighting provided for that street is operational fully in accordance with the agreed Public Lighting Scheme for the overall development.*

- *The applicant, owner or developer may consult with the Council's Public Lighting Section before lodging the required plan for agreement.*

3.1 Compliance Submission for Condition No. 12

In response to Condition No. 12, please refer to the following enclosures prepared by Sabre Electrical Services Ltd (Sabre):

- *Outdoor Lighting Report; and*
- *The drawing titled Public Lighting Layout.*

We have been instructed by Sabre that these documents have also been shared directly with the Public Lighting Department of the Council.

4.0 CONDITION NO. 13 (PARTS)

Condition No. 13 required:

"Protection/Retention of Existing Trees

- *Existing trees shall be retained and shall be protected from damage during building operations in accordance with a Tree Protection Plan prepared by a suitably qualified Arborist carrying professional indemnity insurance.*
- *Only those trees detailed for removal in the Tree Survey and Planning Report (Independent Tree Surveys Limited), submitted to the Planning Authority on 26 October 2022 shall be removed. All other trees on the site shall be retained and shall be protected from damage for the duration of the works on site, to the satisfaction of the Planning Authority in accordance with BS 5837: 2012.*
- *All existing trees to be retained shall be enclosed by stout protective fencing, located at a suitable distance as detailed in BS: 5837 – 2012 – 'Trees in Relation to Design, Demolition and Construction'. This protective fencing shall be erected no later than two weeks of 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, and before any materials are brought onto site and prior to the commencement of any works associated the proposed development.*
- *The Planning Authority shall be notified in writing when protective measures are commencing and also in writing when they have been completed.*
- *The protective fencing shall at all times be maintained intact and in good order for the duration of the construction works. Any damage caused to the protective fence shall be repaired immediately.*
- *No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the protective fence(s), nor shall any changes in ground level be made within the fence(s) unless previously agreed in writing by the Planning Authority. In the event that trees become damaged or otherwise defective during construction period, South Dublin County Council shall be notified as soon as reasonably practicable and remedial action agreed and implemented at the developer own expense.*

- ***Any necessary tree felling and surgery works shall be first agreed on-site and subsequently in writing with the Planning Authority prior to the commencement of the development.***
- ***The proposed location of the site compound, and the exact routes of all water mains, foul and surface water sewers shall be marked out on site, and agreed with the Planning Authority's Public Realm Section prior to the commencement of any works on site, so as to minimise damage to trees which could result from excavation works, storage of materials and construction of temporary access roadway."***

4.1 Compliance Submission for Condition No. 13

This compliance submission is to address the final 2 No. bullet-points of the Condition set out above (i.e. those in **bold**). (A separate submission will be made in respect of the third and fourth bullet-points (i.e. those that are underlined). None of the other bullet-points require formal action and submission to the Council.)

- ***"Any necessary tree felling and surgery works shall be first agreed on-site and subsequently in writing with the Planning Authority prior to the commencement of the development."***

In response to this bullet-point, we note that during an on-site discussion between Daithí O'Troithigh (Appointed Landscape Architect) and Laurence Colleran (Parks Department, South Dublin County Council) on 6th December 2023, it was agreed that the proposed tree removal would accord with the plans submitted as part of the original Planning Application.

For absolute clarity, we enclose the previously submitted arboricultural pack, which includes the following documents prepared by Independent Tree Surveys:

- *Tree Survey & Planning Report*
- The following drawings:
 - *Tree Survey/Constraints Plan [Overview]*
 - *Tree Survey/Constraints Plan [Sheet 1]*
 - *Tree Survey/Constraints Plan [Sheet 2]*
 - *Tree Survey/Constraints Plan [Sheet 3]*
 - *Tree Protection Plan [Overview]*
 - *Tree Protection Plan [Sheet 1]*
 - *Tree Protection Plan [Sheet 2]*
 - *Tree Protection Plan [Sheet 3]*

A further walkover of the site is anticipated to take place prior to Friday, 22nd December 2023 during which the tree protection measures are intended to be in place for inspection by representatives of the Council.

- ***"The proposed location of the site compound, and the exact routes of all water mains, foul and surface water sewers shall be marked out on site, and agreed with the Planning Authority's Public Realm Section prior to the commencement of any works on site, so as to minimise damage to trees which could result from excavation works, storage of materials and construction of temporary access roadway."***

In response to this bullet-point, we direct the Council to Section 3.8 of the enclosed *Health & Safety Construction Management Plan* prepared by B&C Building Contractors which demonstrates the location of the principal construction compound. As is clear when compared with the abovementioned drawings, the compound will be amply distant from the trees to be protected.

Additionally, it is intended to mark-out on site the maximum western extent of all services on-site in advance of the site walkover to be held prior to Friday, 22nd December 2023. This will demonstrate that no incursion of services takes place within the "*Recommended Hedge Protection Buffer Zone*".

5.0 **CONDITION NO. 20**

Condition No. 20 required:

"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."

5.1 **Compliance Submission for Condition No. 20**

In response to this Condition, please refer to the enclosed *Health & Safety Construction Management Plan* prepared and to be enacted by B&C Building Contractors.

6.0 CONDITION NO. 22(a)

Condition No. 22(a) required:

"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."

6.1 Compliance Submission for Condition No. 20

In response to this Condition, please refer to Section 2 ('Project Directory') of the enclosed *Health & Safety Construction Management Plan* prepared by B&C Building Contractors.

7.0 CONCLUSION

We trust that the above details and enclosed materials address the Conditions and requirements of the Council.

We would appreciate a confirmation of their receipt and subsequent confirmation that the information outlined above is in compliance with the permission at your earliest convenience. Thank you for your assistance with this matter.

Yours faithfully,



Daniel Moody
Associate
Thornton O'Connor Town Planning

Encl.

LIST OF ENCLOSURES

Prepared by BKD Architects:

- Booklet titled *Compliance Condition n.5 - Materials and Finishes*

Prepared by Sabre Electrical Services:

- *Outdoor Lighting Report*
- Drawing titled *Public Lighting Layout*

Prepared by Independent Tree Surveys:

- *Tree Survey & Planning Report*
- The following drawings:
 - *Tree Survey/Constraints Plan [Overview]*
 - *Tree Survey/Constraints Plan [Sheet 1]*
 - *Tree Survey/Constraints Plan [Sheet 2]*
 - *Tree Survey/Constraints Plan [Sheet 3]*
 - *Tree Protection Plan [Overview]*
 - *Tree Protection Plan [Sheet 1]*
 - *Tree Protection Plan [Sheet 2]*
 - *Tree Protection Plan [Sheet 3]*

Prepared by B&C Building Contractors:

- *Health & Safety Construction Management Plan*