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Land Use, Planning & Transportation Department
Telephone: 014149000 Fax: 014149104 Email: planning.dept@sdblincoco.ie

Delphi Design
6, Camden Place
Dublin 2.

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

Decision Order Number:	0157	Date of Decision:	24-Feb-2015
Register Reference:	SD14A/0180	Date:	28-Jan-2015

Applicant: Capami Ltd.

Development: Residential development comprising 138 dwellings on a site area of 5.06 hectares; access to the development will be via a proposed new vehicular entrance from Oldcourt Road. The proposed development is comprised of 13 no. 4 bed 2 storey detached houses; 92 no. 3 & 4 bed 2 storey semi-detached houses; 25 no. 3 bed 2 storey terraced houses and 8 no. apartments in 4 no. 2 storey end of terrace units; all associated site development and infrastructural works, car parking, open spaces and landscaping.

Location: South of Oldcourt Road, Oldcourt, Firhouse, Dublin 24.

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 17-Oct-2014/28-Jan-2015

Clarification of Additional Information Requested/Received:

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

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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 2010 - 2016 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 carried out in accordance with submitted plans.

(a) The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by Unsolicited Further Information received on the 19/09/2014 and Further Information received on 28th January 2015, save as may be required by the other conditions attached hereto.

(b) This permission relates only to 137 dwelling units. The proposed dwelling number 1 shall be omitted from the development.

(c) No development shall take place pursuant to this permission until the applicant, owner or developer has lodged with the Planning Authority:

(i) A revised Site Layout Plan detailing the omission of proposed dwelling number 1 and the incorporation of these lands into the side/ front garden of proposed dwelling number 2.

(ii) A written commitment to carry out the development in accordance with this revised layout plan and'

(iii) These requirements have been acknowledged in writing by the Planning Authority.

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

2. Additional Amendments required to proposed development layout.

No development shall take place pursuant to this permission until the applicant, owner or developer has lodged with the Planning Authority the following revisions:

A.

Revised drawings ensuring that House types A, A1, B, B1, C and D1 at corner locations are modified to provide the following amendments:

(i) The main entrance is from the 'side' elevation.

(ii) Additional windows are provided to the side elevations of House No.'s 6, 22, 30, 34, 51, 86, 128 and 129.

(iii) Windows from habitable rooms are orientated toward the street. This may require additional windows to be provided and/or the internal configuration of some house types to be redesigned.

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(iv) Where houses are located back-to-back a single storey rear wing (3m deep behind dwelling building line) shall be added (with a window fronting onto the street at ground floor level) to reduce the length of side fencing fronting onto the street.

(v) Ensure that 2m high fencing to the side of dwellings is positioned in such manner that it does not obscure any ground floor windows to dwellings.

B. A written commitment to carry out the development in accordance with these revised drawings, and

C. The receipt of these requirements are acknowledged in writing by the Planning Authority.

REASON: To comply with Objectives BF1 and BF9 of the Ballycullen - Oldcourt Local Area Plan (2014) and in the interests of proper planning and sustainable development.

3. Legally binding undertaking to secure delivery of a Local Area Plan objective.

No development shall take place until the applicant, owner or developer of the lands has lodged with the Planning Authority:

(i) A legally binding undertaking to secure the delivery of the playing pitches on lands to the south-east of the site located between Gunny Hill and Oldcourt Lane as designated under the Ballycullen - Oldcourt Local Area Plan (2014) (fig 5.6).

(ii) A written commitment to this legally binding undertaking and,

(iii) The receipt of these requirements has been acknowledged in writing by the Planning Authority.

REASON: To provide for the achievement, in cooperation with others, of Objective SSP14 of the Ballycullen - Oldcourt Local Area Plan (2014).

4. Housing Strategy requirements.

No development shall take place under this permission until the applicant, developer, or owner has lodged with the Planning Authority:

(i) Written confirmation and details of proposals agreed in writing 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 2010-2016, and

(ii) This has been confirmed in writing by 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 2010-2016.

5. Drainage and Roads issues.

No development shall take place pursuant to this permission until the applicant, owner or developer has lodged with the Planning Authority:

A. Fully detailed revised drawings providing for all the requirements set out below, along with;

B. Evidence of confirmed levels, and

C. Written confirmation from the Council's Water Services Section that these revised drawings have been submitted to and agreed with the Council's Water Services Section.

The required revised drawings and information shall provide for all of the following:

(i) The culvert shall be laid at a fall of 1:250 with an invert level at midpoint of 96.600.

The applicant, owner or developer shall design and provide at their own expense headwalls, wingwalls, silt trap sump and a heavy duty stainless steel guarding with an access gate for cleaning at each end of the culvert.

The stream shall be re-graded North and South of Oldcourt Road to provide a gentle bed gradient back to existing bed level. The applicant, owner or developer shall check and confirm that the proposed invert level of 96.600 for the culvert, along with the soffit hung ductile iron sewer pipe proposed below and all works to the existing channel do not in any way affect the proposed carrying capacity of the stream.

(ii) To accommodate the clash in level between the uppermost section of culvert and the foul sewer between FW20 and FW21 the applicant/owner or developer shall fix a ductile iron 225mm diameter pipe to the internal soffit of the culvert. The invert level of the ductile iron pipe exiting the culvert should be 97.55m. Viking Johnson couplings or similar fittings capable of taking up any minor movement shall be fitted immediately outside the culvert section as part of the transition to the selected pipe material for the foul sewer construction. The applicant, owner or developer shall review the revised design and alter as necessary to ensure that the proposed invert level of 96.600 for the culvert, along with the proposed soffit hung 225 diameter ductile iron pipe provides a conveyance capacity for a 1:100 year critical storm in this culvert.

The applicant, owner or developer shall also ensure that the proposed soffit hung 225 diameter ductile iron pipe does not affect the long term flood relief capacity of this culvert.

(iii) Inconsistencies were found in the submitted invert levels for all foul manholes. The applicant, owner or developer shall review these throughout and lodge revised longitudinal section drawings, and lodge revised longitudinal section drawings, agreed with the Council's Water Services Section, along with written confirmation of such agreement from Council's Water Services Section to the Planning Authority.

(iv) Based on existing MH F 85 invert being correct at 96.93m and laying a new sewer upstream towards FW21 and the new section of ductile iron pipe running through the culvert, the calculated gradient of this section shall be 1:164. This will give an invert level at FW20 of 97.600m. All remaining foul water sewers can be laid at the stated 1:200 gradient resulting in revised FW MH invert levels and, by extension, all proposed FFL of dwellings. A revised drawing agreed with the Council's Water Services Section, along with written confirmation of such agreement from Council's Water Services Section

shall be lodged to the Planning Authority illustrating all of these provisions.

(v) Because of the importance of the relationship between the receiving FW MH F85 invert level, the existing bed level of the stream and proposed level of the culvert, the construction of the culvert and the laying of the sewer from F85 to FW21 to FW20 must take place in advance of all other works on site. This matter has the potential to critically affect FFL's and road levels within the development. Drawings and longitudinal sections for the 225 mm foul pipeline and the surface water culvert agreed with the Council's Water Services Section, along with written confirmation of such agreement from Council's Water Services Section shall be lodged with the Planning Authority.

(vi) Design drawings and details for the clearing of the ditches on the western and

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northern edges of the site agreed with the Council's Water Services Section, along with written confirmation of such agreement from Council's Water Services Section shall be lodged with the Planning Authority. These shall be capable of conveying flows up to and including the 1:100 year critical storm. These works shall be carried out at the expense of the owner/developer.

(vii) Design drawings and details for the upsizing of the Parklands Road Culvert to provide a conveyance capacity for a 1:100 year storm agreed with the Council's Water Services Section, along with written confirmation of such agreement from Council's Water Services Section shall be lodged with the Planning Authority. This shall include details of the gentle regrading of bed level down to existing bed levels, downstream of the proposed new culvert. These works shall be carried out at the expense of the owner/developer.

(viii) Having regard to the various aspects of this application that affect works to, and the capacity of the existing ditch running North-South into which the culvert discharges, the applicant, owner or developer shall take ownership of any amendments proposed by all requirements of this decision, to check, confirm and amend any calculations regarding flood risk management and to satisfy themselves and the Council that the reduced cross sectional area of the culvert in the vicinity of the soffit hung foul sewer will not in any way affect the management of the storm water system. To this end the applicant, owner or developer shall propose an alternative arrangement of levels, culvert design and FW MH levels that satisfy this requirement.

REASON: In the interests of public health and in order to ensure adequate drainage provision.

6. Water Supply and Drainage.

(a) The water supply and drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Water Services Authority and/or Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

(c) All drainage works for this development shall comply with the Greater Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from <http://environment.southdublin.ie> (click-publications then specifications) and/or the requirements of Irish Water.

All works shall comply with:

(1) The South Dublin County Council 'Specification for the Laying of Watermains and Drinking Water Supply' which can be viewed/downloaded from

<http://www.sdcc.ie/sites/default/files/guidelines/sdcc-water-specificationjan-2012.pdf> and,

(2) The Greater Dublin Regional Code of Practice for Drainage Works which can be viewed /downloaded from the South Dublin County Council website at the following link <http://www.sdcc.ie/sites/default/files/publications/greater-dublin-regional-code-of-practice-fordrainage-works.pdf>

(d) No development shall take place under this permission until the applicant, owner or developer has;

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(i) Lodged evidence to the Planning Authority that a connection agreement has been entered into with Irish Water, and

(ii) This has been acknowledged by the Planning Authority.

This agreement will require the applicant to adhere to the standards and conditions set out in that agreement.

(e) No development shall take place pursuant to this permission until the applicant, owner or developer has lodged with the Planning Authority a revised watermain layout which shall ensure that no watermain is shown within 3m of any existing/proposed building/structure and such drawings have been acknowledged as acceptable by Irish Water:

REASON: In the interests of public health and in order to ensure adequate water supply and drainage provision.

7. External finishing.

No development shall take place under this permission until the applicant, owner or developer has;

(i) provided samples of all proposed external finishing materials, and

(ii) that this has been acknowledged by the Planning Authority.

In addition, sample panels of 2m x 2m of the materials shall be erected on site and once approved, retained for the duration of the development for quality control purposes.

Development shall be carried out in accordance with the approved samples.

REASON: In the interest of visual amenity, environmental quality and development control.

8. Construction Phasing Programme.

No development shall take place pursuant to this permission until the applicant, owner or developer has;

(i) Notified the Planning Authority in writing of the proposed construction phasing programme, and

(ii) Subsequently also in writing of the completion of every 50 dwelling units.

In addition, the applicant, owner or developer shall also submit a plan identifying the units completed at each stage of the above stages with their required written notification.

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

9. Services 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 and proper planning and sustainable development of the area.

10. No subdivision or commercial use of dwellings.

Each proposed residential unit shall be used and occupied as a single dwelling unit and shall not be sub-divided or used for any commercial purposes unless so approved by a

grant of planning permission.

REASON: To prevent unauthorised development.

11. Dwellings not to be occupied prior to completion of services.

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.

12. Street naming and numbering.

No development shall take place under this permission until the applicant, developer, or owner has lodged with the Planning Authority;

(i) A street naming and dwelling/unit numbering scheme for the approved development in accordance with the Planning Authority's policy and requirements for such schemes, and

(ii) This has been acknowledged in writing by the Planning Authority.

The development name should;

1. Avoid any duplication within the county of existing names,
2. Reflect the local and historical context of the approved development,
3. Comply with (a) Development Plan policy, (b) guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government, (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.

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.

13. External common areas to be maintained by a Management Company.

A. No development shall take place under this permission until the applicant, owner or developer has lodged with 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

(ii) This has been acknowledged in writing by the Planning Authority.

The said areas indicated in the plan required shall not be taken in charge by the Council and shall instead be maintained 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 a 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 with 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, and

(ii) This also has been acknowledged in writing by the Planning Authority.

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.

14. Minimise Air Blown Dust.

During the construction and or 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. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health.

15. Permitted Hours of Works.

No Equipment or Machinery (to include pneumatic drills, construction vehicles, generators, etc.) shall be operated on or adjacent to the site before 7.00 hours on weekdays and 9.00 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. Any work outside these hours shall only be permitted following receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unwanted noise outside the hours stated above.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness.

16. Traffic safety - Vehicle/Wheel Cleansing.

(a) The applicant shall ensure that suitable facilities for vehicle cleansing and wheel washing, to the satisfaction of the Area Engineer, are provided on site prior to commencing of earthworks, and that such facilities are maintained in a satisfactory operational condition during all periods of earthworks.

(b) The applicant, owner or developer shall ensure that adequate on-site car parking facilities, to the satisfaction of South Dublin County Council, are made available for site workers at all times during the course of construction.

(c) The applicant shall maintain all footpaths and roads affected by the development works in a safe and tidy condition to the satisfaction of the Area Engineer.

REASON: In the interest of the amenity, safety and maintenance of adjoining roads and footpaths.

17. Archaeology.

The applicant/developer shall employ a qualified archaeologist licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development. Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant/developer shall facilitate the archaeologist in fully recording the material and be prepared to be advised by the Department of the Environment, Heritage and Local Government with regard to the appropriate course of action.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

18. Landscaping.

No development shall take place pursuant to this permission until the applicant, owner or developer has lodged with the Planning Authority a revised Landscape Plans agreed with the Council's Parks and Landscape Services Section, along with written confirmation of such agreement from Parks and Landscape Services Section which shall include the following and receipt of such details has been acknowledged in writing by the Planning Authority:

- (a) Hard and soft Planting
- (b) Adult Exercise Equipment
- (c) Play Spaces
- (d) The locations of the cross-sections shall be indicated on the plans.
- (e) Storage of any kind on proposed open spaces will require particular landscape remediation scheme, to be submitted by the landscape architect.

REASON: To provide adequate landscaping and in the interests of visual amenity.

19. Revised Landscaping Plans.

Revised Landscape Plans, agreed with the Council's Parks and Landscape Services Section, along with written confirmation of such agreement from Council's Parks and Landscape Services Section lodged with Planning Authority, shall be implemented in full, within the first planting season following completion of the development (completion of works on site).

- (a) All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan.
- (b) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS : 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
- (c) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations'.
- (d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years

of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

REASON: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

20. Landscaping - Retention and protection of trees and hedgerows.

(a) To ensure the protection of existing hedgerows and trees to be retained on site, the drawing 'OCT001' by Felim Sheridan, Arborist Associates and all recommendations indicated on that drawing along with the recommendations of the entire Arboricultural Assessment document, by Felim Sheridan Arborist, both submitted to the Planning Authority on 27th August 2014, shall be adhered to and implemented to at all times to adequately protect and retain hedgerows numbered 2, 3, 4 and 5 and tree lines number 2 and 3. This includes, as per the above documents, erection of protective fencing in accordance with BS 5837, the line of protective fencing (amended to incorporate hedgerow no. 2 along South) no storage of any materials within the RPAs of the protected areas

(b) No development shall commence on site until the Arboriculturist updates the lodged drawing OCT001 to show:

- Retention and protection of the full line of hedge along the South of the site and
- Clearly the line of protective fencing, as it is not clearly visible on drawing OCT001.

(c) No development shall commence on site until the developer has arranged a site meeting between the Project Manager, Project Arboriculturist, the Foreman of Works, the Landscape Architect and the Parks and Landscape Services Section/Superintendent to agree and confirm in writing satisfaction with the proposed locations of the site compound, staff car park and underground services, the line of tree protective fencing and other relevant landscape matters such as storage of topsoil and the meeting shall take place before the start of development.

(d) No development shall commence on site until the required remedial tree works, to be elaborated on by the project Arboriculturist, are agreed with the Parks and Landscape Services Section / Superintendent. All tree felling, pruning, surgery etc. shall be completed within one year of the occupation of the dwellings on site.

(e) The areas proposed for storage of materials, staff car parking and work yards are to be away from the RPAs of hedgerows and trees and indicated on a drawing submitted to the Planning Authority prior to the commencement of development.

REASON: to ensure retention and satisfactory protection of the trees and hedgerows specified and general preparation of the site from an Arboricultural perspective.

21. Protection and Management of Trees.

The applicant, owner or developer shall retain the services of a qualified Arboriculturist immediately prior to and during the entire period of construction activity, to ensure the implementation of all Arboricultural documents and drawings and satisfactory protection of all hedgerows and trees listed for retention. The project Arboriculturist can also advise the developer on hiring a Tree Surgery company to carry out the required tree remedial works, as per the Arboricultural Assessment by Felim Sheridan, submitted to the Planning Authority on 27th August 2014 and to be elaborated upon by the Arborist after his/her site inspection.

REASON: to ensure the satisfactory implementation of agreed Arboriculture approach and tree/hedgerow protection on site.

22. Financial security for Protection of existing hedgerows/trees.

No later than two weeks from the date of the Commencement Notice and prior to the commencement of works on site, a Bond or bank draft to the value of €10,000 shall be lodged with South Dublin County Council as a security for the protection of the existing hedgerows and trees which have been agreed for retention and protection during the course of the development works. This bond will be released twelve months after the completion of all site works once it has been ascertained that the hedgerows and trees specified for retention have been preserved in their prior condition and have suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree protection. The developer shall keep photographic records of the condition of the hedgerow prior to the start of development for comparison purposes.

REASON: To ensure the protection of hedgerows and trees on the site.

23. Landscape Architect to be retained.

The Landscape Architect shall be retained by the applicant, owner or developer for the duration of the development project, to pay periodic site visits to ensure that construction works will not compromise the proposed landscape development, to ensure adequate protection of the existing hedgerows approved for retention and to supervise the implementation of the landscape plans from start to finish.

REASON: In the interest of the full implementation of the landscape plans, visual amenity and in the interest of the proper planning and sustainable development of the area.

24. Landscaping - Certificate of effective completion.

A certificate of effective completion for the landscape scheme in accordance with the requirements of the Council's Parks and Landscape Services Section shall be lodged with the Planning Authority upon completion of the landscape works, such certificate to be prepared by the Landscape Architect for the project.

REASON: To ensure the provision of a reasonable standard of landscape in accordance with the approved designs.

25. Incidental Areas of Public Open Space.

No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

(i) A revised layout plan providing for all incidental areas of public open space detailed on the Site Plan named 'Creche Option' drg. No. D-1406 submitted as further information and listed below to be incorporated into the front/side gardens of the following dwellings No.'s 30, 31, 41, 47, 51, 60, 63, 69, 70, 81, 86, 87, 96, 110, 118, 133, 136, and

(ii) A written commitment to carry out the approved development in accordance with this revision, and

(iii) This requirement has been acknowledged in writing by the Planning Authority.

REASON: In the interest of visual and residential amenity.

26. Roads issues.

No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

(i) A revised site layout drawing that accords with the requirements of the Council's Roads Section, specifically the issues set out below, and

(ii) Written confirmation from the Council's Roads Section of their agreement to the revised layout, and

(iii) A written commitment to carry out the development in accordance with these requirements, and

(iv) These requirements have been acknowledged in writing by the Planning Authority.

The revised layout shall provide for;

(a) The proposed layout for the pedestrian crossing in detail on the correct road alignment

(b) A turning bay at the end of road 5b reinstated

(c) Trees to be relocated or excluded from sightlines

(d) The applicant is required to provide a layout as follows; 6m wide verge, 2m wide footpath and 7m long driveway for houses 2-12 inclusive. For houses 11, 12 and 13, provide a 2m wide footpath beside the road and on-site parking.

REASON: In the interests of traffic and pedestrian safety.

27. Standard of construction of roads, footpaths, verges, public lighting, open space and surface water drains.

The applicant, developer or owner shall construct and maintain to the Council's standard for taking in charge all the roads, including footpaths, verges, public lighting, open space, or surface water drains, forming part of the approved development, until taken in charge by the Council.

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

28. Financial Contribution towards traffic lights.

The applicant, owner or developer shall make a contribution of €35,000 (thirty five thousand euros) towards the provision of traffic lights at the priority junction between the R113/ Old Court Road.

REASON: In the interests of traffic and pedestrian safety.

29. Public Lighting.

No development shall take place under this permission until:

(i) A Public Lighting Scheme for the development as approved designed by an appropriate consultant or qualified contractor has been lodged with the Planning Authority along with,

(ii) The written confirmation from the Council's Public Lighting Section that the scheme is fully in compliance with the Council's specifications and standards applicable at the commencement of development and with the Planning Authority's policy for high quality public lighting to be provided throughout the public realm of the site.

Comprehensive design details of the proposed public lighting to serve the entire public realm of the approved development including overall height shall be lodged with the required scheme. In addition the external lighting system shall be designed to minimise

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potential glare and light spillage and shall be positioned and/or cowled away from residential properties or other light intrusion sensitive locations.

No lighting column shall be located within the eventual canopy spread of any proposed tree.

In addition, no dwelling unit/commercial unit shall be occupied on any street until the public lighting provided for that street is operational and fully in accordance with the Public Lighting Scheme for the overall development.

The applicant, owner or developer is advised to consult with the Council's Public Lighting Section and Public Realm Designer before lodging the required plan.

REASON: In the interest of amenity and public safety.

30. Surface Materials.

No through routes shall be brick or block paved. All through routes shall have separate footpaths, i.e. no shared surfaces. Only local access cul de sacs shall have brick paving and/or shared surfacing.

REASON: In the interests of traffic and pedestrian safety.

31. Method Statement for Management of the Construction Phase.

No development shall take place under this permission until a method statement for the management of the construction phase in accordance with Council policy has been submitted by the applicant, owner or developer to the Planning Authority and this has been acknowledged by the planning authority.

This shall include:-

- (i) Details of wheel wash arrangements to be provided on site and to be retained for the duration of development.
- (ii) Location of materials compound and site huts.
- (iii) Details of security fencing.
- (iv) Name and contact details for site manager.
- (v) Methodology for the use and control of spoil on site during construction.
- (vi) Details of access arrangements/routes to be used by construction traffic.

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

32. Method Statement for Construction Waste Management.

The construction of the development shall be managed in accordance with a Construction Waste Management Plan; no development shall take place under this permission until a plan in accordance with Council policy has been submitted by the applicant, owner or developer to the planning authority and this has been acknowledged by the planning authority. This plan shall provide details of intended construction practice for the development, including noise management measures.

The proposal shall address but not be limited to the following:

- Prevention of Waste
- Reuse of Waste
- Recycling of Waste
- Waste arising including proposal for minimisation/reuse/recycling
- Demolition plan

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- Overall management of C& D Waste
- Record keeping and procedures
- Waste Auditing protocols
- Training and responsibilities for C&D Waste.
- Anticipated hazardous waste arisings.

REASON: In the interests of waste management and the proper planning and sustainable development of the area.

33. Creche.

A creche shall be provided in accordance with details submitted on drawing no. D-1406 entitled 'Creche Option'.

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

34. Financial Contribution - Public Infrastructure and Facilities.

The developer shall pay to the planning authority a financial contribution of €1,385,754.99 (one million three hundred and eight five thousand seven hundred and fifty four euro and ninety nine 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 2013-2015, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the planning authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2013-2015.

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 both water and waste water services. Accordingly, the contribution payable has been reduced by the amount of the contribution associated with these services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

35. Financial Condition - Taking in Charge.

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 €583,514.00 (five hundred and eighty three thousand five hundred and fourteen euro) (amount will be updated at the date of commencement of

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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 €677,883.00 (six hundred and seventy seven thousand eight hundred and eighty three euro) (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 Councils 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.

NOTES

Note 1: The developer is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

Note 2: The requirements of the Environmental Health Officer should be ascertained prior to the commencement of the development.

Note 3: 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, in accordance with the requirements of Part M of the Building Regulations. A Disabled Access Certificate should be obtained from South Dublin County Council within 3 months of a final grant of permission.

Note 4: Where the applicant proposes to connect to a public water/wastewater network operated by IW, the applicant must sign a connection agreement with IW prior to the commencement of the development and adhere to the standards and conditions set out in that agreement. In the interest of Public Health and Environmental Sustainability, Irish Water Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Irish Water Capital Investment Programme.

Note 5: To protect the amenities of the area, the applicant or developer should ensure that

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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 6: 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.

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.



for Senior Planner

24-Feb-2015