

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

South Dublin County

Planning Register Reference Number: SD16A/0097

An Bord Pleanála Reference Number: PL 06S.246765

APPEAL by Irish Water care of RPS Group Limited of West Pier Business Campus, Dun Laoghaire, County Dublin against the decision made on the 23rd day of May, 2016 by South Dublin County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development consisting of the replacement of the existing open treated water reservoir which currently supplies up to 30,000 cubic metre per day of drinking water to the greater Dublin area with a new covered reservoir and new disinfection plant. The production capacity will not be increased as a result of the proposed development. The development will include: (1) provision of a new 16,000 cubic metre covered reservoir approximately 5,000 square metres with height above ground varying from approximately 2.45 metres to 6.2 metres with handrailing on the roof (approximately 1.25 metres to 5.0 metres without handrailing), (2) provision of new disinfection plant comprising; a dosing/control building and contact tank adjoining the new covered reservoir; two number banded silo tanks with overall height of approximately 2.5 metres; kiosk approximately 0.9 square metre with overall height of approximately 2.0 metres; (3) relocation of the wash water recovery tank (approximately 250 square metres), with height above ground varying from approximately 1.1 metres to 3.1 metres; (4) demolition of the existing wash water recovery tank; (5) provision of a Kiosk approximately 4 square metres with overall height of 2.4 metres; (6) modifications to the existing open reservoir inlet, outlet and overflow pipework; (7) modifications to the western and northern embankments of the existing reservoir; (8) modification to the existing southern access gate for temporary construction access and (9) landscaping works. The proposed development includes all associated site development works, hardstanding areas, the upgrading of the existing drainage system to provide a petrol/oil interceptor and attenuation, removal of existing trees within the site and provision of a

temporary construction compound area. All necessary ancillary pipework, mechanical and electrical services, plant, instrumentation, automation and controls and equipment. All of the above is proposed on a site of approximately 8.2 hectares at Ballyboden Waterworks, Stocking Lane, Dublin, a Protected Structure.

DECISION

Having regard to the nature of the conditions the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 16 and the reason therefor and to AMEND condition number 3 so that it shall be as follows for the reason set out.

3. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
 - (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
 - (b) location of areas for construction site offices and staff facilities;
 - (c) details of site security fencing and hoardings;
 - (d) details of on-site car parking facilities for site workers during the course of construction;
 - (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
 - (f) measures to obviate queuing of construction traffic on the adjoining road network;
 - (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) provision of parking for existing properties during the construction period;
- (j) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) 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;
- (l) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (m) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains;
- (n) a method statement for the draining down of the existing open reservoir; and
- (o) a method statement for the de-chlorination of water and means of controlling discharge of such waters shall be agreed in full with the planning authority.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety.

REASONS AND CONSIDERATIONS

The Board considered that condition number 3 should be amended on the basis that the planning authority is the more appropriate authority to agree the final solution regarding the de-chlorination of water and means of discharge. Furthermore, it is considered that the current Development Contribution Scheme provides an exemption for infrastructural facilities and as such condition number 16 was incorrectly applied.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.