

Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20A/0261

Appeal by Colm Lynch of 86 Tymonville Road, Tallaght, Dublin against the decision made on the 19th day of May, 2021 by South Dublin County Council to grant subject to conditions a permission to Applus Inspection Services Limited care of Malachi Cullen Consulting Engineers Limited of 8 Centre Court, Blyry Business and Commercial Park, Athlone, County Westmeath in accordance with plans and particulars lodged with the said Council.

Proposed Development: The construction of an acoustic wall, 4.5 metres high with cranked top to north facing (back) and east and west facing (side) boundaries of existing NCT testing centre and revised operating hours to granted permission reference PL 06S.245111 together with all associated site works at Greenhills NCT Centre, Greenhills Road, Tallaght, Dublin.

Decision

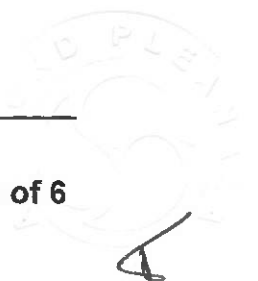
GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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.

Reasons and Considerations

Having regard to the land use zoning of the site 'Objective EE' which seeks to provide for enterprise and employment related uses set out in the South Dublin County Council Development Plan 2016-2022, the pattern of development in the area and that the existing car testing operation is permitted and established onsite, it is considered that, subject to compliance with the conditions set out below, the proposed provision of an acoustic barrier and revised hours of operation would not seriously injure the residential amenities of the area, would be in accordance with the provisions of the Development Plan and would, therefore, be in accordance with the proper planning and sustainable development of the area.



Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further particulars submitted to the planning authority on the 9th day of March, 2021 and the 22nd day of April, 2021, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The test centre, and all activities occurring therein, shall only operate between the hours of:

0800 and 1800 on Mondays,

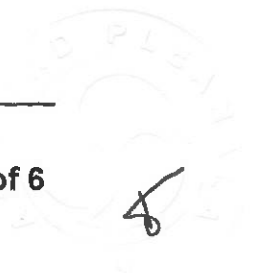
0800 and 1900 on Tuesdays,

0800 and 2100 on Wednesdays, Thursdays and Fridays and

0800 and 1900 on Saturdays.

No activity shall take place outside these hours, or on Sundays or public holidays.

Reason: To protect the residential amenities of nearby property.



3. The proposed acoustic barrier shall be provided for onsite and completed in accordance with the plans and particulars lodged with the application and as amended by the further particulars submitted to the planning authority on the 22nd day of April, 2021 prior to commencement of the revised hours of operation, as set out in condition number 2 above.

Reason: In the interests of residential amenity and safety.

4. Prior to the commencement of the revised hours of operation, the applicant shall submit a Noise Management Plan for the written agreement of the planning authority. A performance review will be completed by the applicant and submitted to the planning authority for agreement every six months to ensure the policy is being correctly applied and adhered to by staff working at the test centre.

Reason: To protect the residential amenities of nearby property.

5. The noise level shall not exceed 55 dB(A) rated sound level as measured at any point along the boundary of the site.

Reason: To protect the residential amenities of property in the vicinity of the site.



6. All trees and hedgerows within and on the boundaries of the site shall be retained and maintained, with the exception of Hedge number 1 and Tree number 4, which are proposed to be removed by the Arboricultural Assessment submitted to the planning authority (dated the 12th February, 2021) on the 9th day of March, 2021. Retained trees and hedgerows shall be protected from damage during construction works. Within a period of six months following the completion of the acoustic barrier, any planting which is damaged or dies shall be replaced with others of similar size and species.

Reason: To protect trees and planting during the construction period in the interest of visual amenity.

7. The applicant shall submit a detailed Planting Plan to mitigate the loss of Hedge number 1 and Tree number 4, as identified in the Arboricultural Assessment submitted to the planning authority (dated 12th February 2021) on the 9th day of March, 2021 for the written agreement of the planning authority prior to commencement of development. The planting plan shall provide the following information:

- (a) location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate and
- (b) detailed proposals for the future maintenance/management of the landscaped area along the northern boundary of the site.

The applicant shall propose native species where possible to encourage biodiversity and support pollinators within the landscape.

Reason: In the interests of visual amenity and biodiversity.

8. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.



Terry Ó Niadh

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 19th day of October, 2021.

