

Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinntí Pleanála
An Roinn Pleanála agus Forbartha, Clárlann / Cinntí
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 2149 / F: (01) 222 2675
Decision T: (01) 222 2288 / F: (01) 222 2271

Date 24-Nov-2015

Kavanagh Tuite Architects
Terminus Mills
Clonskeagh
Dublin 6

Application No.	3634/15
Registration Date	13-Nov-2015
Decision Date	20-Nov-2015
Decision Order No	P3468
Location	Former Diamond Innovations site (Unit 1C), Clonshaugh Business & Technology Park, Dublin 17
Proposal	The development will consist of the demolition of the existing industrial buildings and ancillary structures on the site. The total floor area of buildings proposed to be demolished is 16,500 sqm.
Applicant	Amazon Data Services Ireland Ltd. (ADSIL)
Application Type	Permission

NOTIFICATION OF DECISION TO GRANT PERMISSION

In pursuance of its functions under the Planning & Development Acts 2000 (as amended) Dublin City Council, being the Planning Authority for the City of Dublin has by order dated 20-Nov-2015 decided to GRANT PERMISSION for the development described above, subject to the following condition(s).

CONDITION(S) AND REASON(S) FOR CONDITION(S)

1. Insofar as the Planning & Development Act 2000 (as amended) and the Regulations made there under are concerned the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, as amended by the Further Information received on 13/11/2015, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

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2. (a) The site and building works required to implement the development shall only be carried out between the hours of:

Mondays to Fridays - 7.00am to 6.00pm

Saturday - 8.00 a.m. to 2.00pm

Sundays and Public Holidays - No activity on site.

(b) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

3. The following requirements of the Drainage Division shall be complied with:

The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).

- Demolition: The developer shall take care to protect all public sewers that may be affected by these demolition works, in particular no debris should be allowed to enter the public sewerage system. Where possible the Developer must disconnect and cap all drainage links from the private site in order to prevent any demolition debris entering the public network.

Reason: To ensure an adequate standard of development.

4. the following requirements of the environmental health section shall be complied with:

- Prior to the demolition a residential notification procedure shall be drafted by the contractor subject to the approval of Dublin City Council. This procedure must fully inform all residents or occupiers of sensitive premises in the area how and to what extent the works will impact them.
- The procedure for noise and vibration control as outlined in BS 5228: Code of

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Practice for noise and vibration control on construction and open sites Part 1 (BSI 2009) should be implemented in full.

Reason: in the interests of orderly development.

5. The following Air pollution controls shall be complied with:

- Adequate dust/debris screening should be in place at the site boundary to contain and minimise the amount of wind blown dust. These must be maintained in good condition at all times, and repairs made when necessary.
- Dust suppression equipment must be used where point source emissions are likely.
- A wheel wash should be in place and used at the entry and exit of the site to minimise dust created by the movement of vehicles. The entry and exist points to the site should be constructed of hard standing, which is regularly dampened to minimise dust nuisance.
- All consignments containing material with the potential to cause air pollution nuisance being transported by skips, lorries, trucks and tippers must be covered during transit on and off site.
- The whole site should be dampened as necessary to minimise / prevent wind blown dust. This shall include the daily washing down of pavements or other public areas to prevent dust nuisance.
- The occupier shall ensure that the areas around the site, including the public routes are regularly and adequately swept and cleaned to prevent any accumulation of dust and dirt.
- The measures as outlined in the demolition waste management plan dated 14th September 2015 accompanying the application must be implemented in full.

Reason: To ensure an adequate standard of development.

6. The following requirements of the Waste Management Services shall be complied with:

- Prior to the commencement of any works, a Construction and Demolition Waste Management Plan must be furnished to and approved by Dublin City Council.

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- In the event that hazardous soil, or historically deposited waste is encountered during the construction phase, the contractor must notify Dublin City Council and provide a Hazardous/Contaminated Soil Management Plan, to include estimated tonnages, descriptions of location, any relevant mitigation, destination for disposal/treatment, in addition to information on the authorised waste collector(s).
- Prior to the commencement of any storage of waste on-site, the applicant must consult with the Waste Regulation Unit of Dublin City Council.
- Monthly reports regarding the management of the waste during works, must be forwarded electronically to the Waste Regulation Unit of Dublin City Council waste.regulation@dublincity.ie
- The works must comply with the following:
 - o Waste Management Act 1996, as amended.
 - o Dublin City Council Commercial Waste Bye-Laws 2013 (Bye-Laws for the storage, presentation and collection of household and commercial waste)
 - o Eastern and Midlands Regional Waste Management Plan 2015-2021, or any revision thereof
 - o Best practice Guidelines on the Preparation of Waste Management Plans for the Construction and Demolition Projects – DoEHLG 2006.
 - o Waste Management Hazardous Waste Regulations S.I. No. 163/1998 as amended.
 - o Any other relevant Waste Management related regulations
 - o Dublin City Development Plan (Current Version)

Reason: To ensure an adequate standard of development.

7. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

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Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

The applicant should note that development on foot of this **Decision to Grant** may not commence before a notification of final grant has been issued by the Planning Authority or An Bord Pleanála following consideration of an appeal.

- **Your attention is drawn to the requirements of the attached “Codes of Practice”.**

Schedule A: Drainage Division

Schedule B: Roads, Streets & Traffic Division

Schedule C: Air Quality Monitoring and Noise Control Unit

N.B.

- It should be clearly understood that the granting of Planning Permission does not relieve the developer of the responsibility of complying with any requirements under other Codes or legislation affecting the proposal, including the requirements of the Building Regulations, and Waste Management Acts.
- A person shall not be entitled solely by reason of a grant of Planning Permission to carry out any development.
- A grant of Planning Permission does not entitle a person to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.
- Any observations or submissions received by the Planning Authority in relation to this application have been noted.

NOTES TO APPLICANT:

- The decision of Dublin City Council in respect of this development does not imply or infer any approval or right to connect to or discharge wastewater to the public sewer network or the right to connect to the public water supply. The Applicant shall, prior to the commencement of Development, make all necessary arrangements with and get all necessary approvals from Irish Water in relation to wastewater discharges and water connections.

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- Appeals must be received by An Bord Pleanála within **FOUR WEEKS** beginning on 20-Nov-2015. (N.B. not the date on which the decision is sent or received). This is a strict statutory time limit and the Board has no discretion to accept late appeals whether they are sent by post or otherwise. The appeal **MUST BE FULLY COMPLETE** in all respects - including the appropriate fee - when lodged. It is not permissible to submit any part of it at a later date, even within the time limit.
- Refund of Fees submitted with a Planning Application. Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months, where the full standard fee was paid in respect of the first application, and where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of 8 weeks beginning on the date of the Planning Authority's decision on the second application.
- In relation to the Financial Contribution conditions, please note that this figure may be increased from January 2010 in line with the Wholesale Price Index (Building and Construction Materials).
- In relation to Compliance conditions three copies of compliance drawings will be required by the Planning Authority.

Signed on behalf of the Dublin City Council:

For Assistant Chief Executive