



Comhairle Cathrach  
Bhaile Átha Cliath  
Dublin City Council

An Roinn Pleanála & Forbairt Maoine

Bloc 4, Urlár 3, Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8

Planning & Property Development Department

Dublin City Council, Block 4, Floor 3, Civic Offices, Wood Quay, Dublin 8

## PROTOCOLS FOR DEROGATIONS FOR THE NATIONAL CHILDREN'S HOSPITAL:

### HOW TO APPLY FOR A DEROGATION:

- i) All requests for derogations shall be e- mailed to [greg.bryan@dublincity.ie](mailto:greg.bryan@dublincity.ie) & [planning.derogations@dublincity.ie](mailto:planning.derogations@dublincity.ie)
- ii) The Planning Authority will require at least **Five (5) working days'** notice to assess future requests for an extension of the permitted working hours. **Requests received at short notice for scheduled works will be refused.**
- iii) All requests will require the approved Planning Application Number & Location:
  - iv) All affected residents & stakeholders must be notified on receipt of any approved derogations including the rationale for the extended working hours. Residents **must** be notified through the Resident Forum Group or by other means as soon as a decision has been issued by the Planning Department.
  - v) No deviation from the permitted extended working hours will be considered.
  - vi) The Planning Department & all effected residents & stakeholders **must** be notified of any over run of the approved working hours, extended working hours or any emergency works on the site as soon as possible.
  - vii) A maximum of three derogations will be permitted in any week. (Currently reduced to two until the end of The Level 5 lockdown).
  - viii) Where a request is received for an early start due to an abnormal load licence being issued by the Transport Division, it will not be considered to be a request for a derogation as the required start time is out of the control of the developer this **will not be deemed to be part of the three derogations permitted.**

### WORKS -CONCRETE POURS:

A detailed case including an Engineering report **must** be submitted as part of the request, explaining why there is a requirement need to work outside the permitted working hours with a commencement & finishing time

A maximum of three derogations for power floating will be considered finishing at the latest 00.00 each night. **There must be a minimum twenty - four hour gap between each day of the proposed extended works.**

No concrete pours shall commence before 07.00 Monday - Friday or 08.00 on a Saturday unless approved by the Residents Forum Group

Where a request is received for works on a weekend or any part thereof, **all works shall cease on the Friday at the approved time (19.00).**

Where a derogation is issued for works on a weekend this will be deemed to be **part of the three derogations permitted.**

Where a derogation is requested for works to be carried out on a Sunday. No permission will be issued for works to commence **before 10.00 am in the morning.**

#### OTHER WORKS:

Other derogation request's will be assessed on a case by case basis & **must** as above be applied for 5 working ( five ) days in advance.

A detailed case **must** be submitted as part of the request, explaining why there is a requirement need to work outside the permitted working hours with a commencement & finishing time.

If a Road Closure permit is required the Planning Authority **must** be notified prior to the licence application being submitted with an outline of the proposed works and the dates & times.

**No request for a dispensation from the permitted working hours will be issued on a Bank Holiday Weekend, commencing from 23.59 on Friday to 07.00 on Tuesday.**

#### DISCLAIMER:

Extension of working hours shall not be used for the purposes of accelerating a works programme:

Any breach of approved working hours or derogations granted or conditions attached to an approved derogation may lead to the initiation of legal proceedings by way of an Enforcement Notice and /or a suspension of future derogations for a period which will be determined by the Planning Authority. **Enforcement action taken will be at the discretion of Dublin City Council.**

The Planning Authority reserves the right to withdraw or vary the agreed extended working hours at any time should there be unforeseen significant negative environmental effects associated with these works. The Planning Authority will be the final arbitrator on this matter.

#### Important Note:

**The Planning Authority will not issue a derogation for extended working hours unless the protocol is adhered to. Failure to do so will result in the request being refused.**