

Comhairle Chontae Atha Cliath Theas

PR/1283/21

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0213 **Application Date:** 03-Aug-2021
Submission Type: New Application **Registration Date:** 03-Aug-2021

Correspondence Name and Address: John Gannon, Tom Phillips & Associates 80, Harcourt Street, Dublin 2

Proposed Development: Extension of the existing depot to provide additional bus parking facilities comprising a total of 221 bus spaces (including 45 electric bus parking spaces), 33 car parking spaces (including 15 electric car parking spaces), 5 motorcycle parking spaces and 30 bicycle parking spaces; revisions to the layout and configuration of the existing bus and car parking areas; the installation of electric vehicle charging units and associated infrastructure; new vehicular entrance/egress arrangement (including barrier and ramp) to Ballymount Avenue on the north-eastern site boundary; the provision of 4 pedestrian entrances located on the south-eastern, south-western and north-eastern site boundaries; internal roads and pedestrian pathways; minor elevational amendments to the existing transport depot building (relocation and addition of roller shutter doors and relocation of signage); hard and soft landscaping; boundary treatments; changes in level; lighting; surface water drainage; piped infrastructure and ducting, and all associated site excavation and development works above and below ground. (The development will also include the underground diversion of the existing ESB power line traversing the south-eastern corner of the site.)

Location: 12, Ballymount Road Lower, Dublin 12

Applicant Name: Go Ahead Ireland

Application Type: Permission

(SW)

Description of site and surroundings

Site Area: stated as 2.3 Hectares.

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Site Description:

The site is an existing depot, within an industrial estate.

Proposal:

Planning permission is sought to amend the previously permitted transport depot (SD17A/0428).

- **Extension of the existing depot to provide additional bus parking** facilities comprising a total of 221 bus spaces (including 45 electric bus parking spaces), 33 car parking spaces (including 15 electric car parking spaces), 5 motorcycle parking spaces and 30 bicycle parking spaces;
- **revisions to the layout** and configuration of the existing bus and car parking areas;
- the installation of **electric vehicle charging** units and associated infrastructure;
- **new vehicular entrance/egress** arrangement (including barrier and ramp) to Ballymount Avenue on the north-eastern site boundary;
- the provision of **4 pedestrian entrances** located on the south-eastern, south-western and north-eastern site boundaries;
- internal roads and pedestrian pathways;
- minor **elevational amendments** to the existing transport depot building (relocation and addition of roller shutter doors and relocation of signage);
- hard and soft landscaping;
- boundary treatments; changes in level;
- lighting;
- surface water drainage;
- piped infrastructure and ducting,
- and all associated site excavation and development works above and below ground.
- (The development will also include the underground diversion of the existing ESB power line traversing the south-eastern corner of the site.)

Zoning

The site is subject to zoning objective 'REGEN' – 'To facilitate enterprise and/or residential-led regeneration'.

Located within Baldonnell conical surface.

Consultations

Roads: No objection, subject to conditions.

Water Services: No objection, subject to conditions.

Irish Water: No objections, subject to conditions.

Pollution Control: No report received at time of writing.

Parks: No report received at time of writing.

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Heritage: No report received at time of writing.

Forward Planning: Comments made.

EHO: No report received at time of writing.

TII: No observations.

NTA: No report received at time of writing.

IAA: No report received at time of writing.

Inland Fisheries: No report received at time of writing.

HSA: Does not advise against grant of permission.

DCC: No report received at time of writing.

Dept. Communications Climate Action Env.: No report received at time of writing.

GSI: No observations.

SEA – no overlap indicated.

Submissions/Observations /Representations

None.

Relevant Planning History

Subject site:

SD19A/0281 Installation of new paving; removal of existing timber post and rail fence; installation of textured block walls incorporating new signage; erection of two textured block columns topped with new signage; all associated site development works. **Permission Granted.**

SD18A/0307 Upgrade and alterations to two separate existing entrances on Turnpike Road and Ballymount Road. The development will consist of: (a) Turnpike Road entrance - the installation of new paving, dished curbs and tactile paving to facilitate pedestrian crossing, the removal of part of existing metal railings and metal palisade fence, the installation of textured block wall to match existing textured block wall, installing a new sign and the erection of two textured block columns topped with new signage; (b) Ballymount Road entrance - the installation of new paving supporting the existing tactile paving to existing pedestrian crossing, the removal of existing timber fence and metal palisade fence, the installation of textured block wall, installing a new sign and the erection of two textured block columns topped with new signage and all associated site development works.

Refuse Permission.

Reason 1: Having regard to the location of the proposed column signs over and too close to the existing 8 inch watermains and the location of the proposed wall over and too close to an existing 24 inch asbestos cement watermain at the Turnpike Entrance; and the location of the proposed sign foundations from the existing 8 inch watermains (which are not indicated on the plans submitted) at

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the Ballymount Road Entrance; it is considered that the loading from the proposed structures will damage the existing watermains and compromise the asbestos cement watermain, which would be prejudicial to public health and contrary to the proper planning and sustainable development of the area.

Reason 2: Having regard to the location of the proposed column signs and wall over or too close to the existing 375mm foul sewer at the Turnpike Road entrance; the proximity of the proposed wall from the 225mm foul sewer (which is not indicated); it is considered that the proposed development would not provide adequate separation to allow for maintenance, could damage foul sewers as a result of load transfer and would therefore be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

Reason 3: Having regard to the location of the foundations of the proposed wall over an existing 1,350mm surface water sewer and the location of the proposed wall and sign in close proximity to the surface water sewer at the Turnpike Road entrance; and the proximity of the proposed sign to an existing 300mm surface water sewer at the Ballymount Road entrance; the proposed development could lead to damage, could hinder access for maintenance, would not comply with the Greater Dublin Regional Code of Practice for Drainage Works and therefore is considered to be prejudicial to public health and would be contrary to the proper planning and sustainable development of the area.

SD17A/0428 The change of use of 2.33 ha site from the existing warehousing, distribution and storage use to transport depot, including the existing warehouse building (incorporating internal ancillary offices and related areas over part three levels) (3,812sq.m). The development will include on-site provision for the storage, maintenance and parking of 125 buses; ancillary surface staff car parking (including electrical charging bays); ancillary offices and staff facilities (including toilets and canteen); bus workshop; external fuel storage tank, refuel area and bus wash; landscaping and boundary treatments. The development will also include the removal of existing oil storage tanks; the provision of plant, signage and bicycle parking; external lighting; connections to services and utilities; pipe work and all ancillary site excavation and development works above and below ground. Access to the site is as existing. No elevational changes are proposed as part of this application. **Permission Granted.**

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

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Relevant Policy in South Dublin County Council Development Plan (2016-2022)

CS6 SLO 1:

To initiate a plan led approach to the sustainable regeneration of the brownfield lands in the Naas Road/Ballymount REGEN zoned lands. The plan led approach will include the preparation of a masterplan in 2019 with a view to preparing a Local Area Plan or other appropriate mechanism for the Regeneration (REGEN) and Local Centre (LC) at Walkinstown zoned lands. The masterplan will provide a framework for the sequential and phased development of the lands, integrating sustainable transport, land use and blue and green infrastructure. The spatial planning of the area will be informed by the Naas Road Framework Plan (2010).

Chapter 4 Economic Development & Tourism

4.1.1 *Employment:*

- *A series of older industrial areas along the Luas Corridor, at Naas Road, Ballymount and Cookstown accommodate a diverse range of small and medium sized enterprises and industries. These areas, although large employment centres, are facing issues of evolutionary renewal. The Council will seek to support the regeneration of older industrial areas on a phased basis by promoting more intensive enterprise and/or residential led development at locations proximate to town centres and transport nodes.*

Section 4.2.0 Strategic Policy for Employment

Policy ET1 Economic and Tourism Overarching Policies and Objectives

It is the policy of the Council to support sustainable enterprise and employment growth in South Dublin County and in the Greater Dublin Area, whilst maintaining environmental quality.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

Section 7.5.1 Waste and Resource Policy and Legislation

Policy IE5 Waste Management

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Section 9.3.1 Natura 2000 Sites
Policy HCL12 Natura 2000 Sites

Section 10.0 Energy
Policy E3 Energy Performance in Existing Buildings
Policy E4 Energy Performance in New Buildings

Chapter 11 Implementation
Section 11.2.1 Design Statements
Section 11.2.4 Regeneration Zone
Section 11.3.6 Retail Development
(i) Retail Criteria
Table 11.4 Regen zoning objective

Section 11.4.1 Bicycle Parking Standards
Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards
Table 11.23: Maximum Parking Rates (Non Residential)
Section 11.4.4 Car Parking Design and Layout
Section 11.4.6 Travel Plans

Section 11.6.1 (i) Flood Risk Assessment
Section 11.6.1 (ii) Surface Water
Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)
Section 11.6.1 (iv) Groundwater
Section 11.6.1 (v) Rainwater Harvesting
Section 11.6.1 (vi) Water Services
Section 11.6.3 Environmental Hazard Management
Section 11.6.3 (i) Air Quality
Section 11.6.3 (ii) Noise
Section 11.6.3 (iii) Lighting
Section 11.6.4 Major Accidents – Seveso Sites
Section 11.6.5 Waste Management

Section 11.7.2 Energy Performance In New Buildings
Section 11.8.1 Environmental Impact Assessment
Section 11.8.2 Appropriate Assessment

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Relevant Government Policy

Towards Nearly Zero Energy Building in Ireland – Planning for 2020 and Beyond, Department of the Environment, Community and Local Government (2012)

Design Manual for Urban Roads and Streets 2019- Department of Housing, Planning and local Government (2019)

Transport Strategy for the Greater Dublin Area, 2016-2035, National Transport Authority
Spatial Planning and National Roads, Guidelines for Planning Authorities 2012 – National Roads Authority

Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020, Department of Transport, (2009)

National Cycle Manual – National Transport Authority (2011)

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009)

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009)

Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Residential and Visual Amenity
- Relocation of Powerline
- Parks and Landscaping
- Services and Drainage
- Access and Parking
- Seveso
- Screening for Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is subject to zoning objective 'REGEN' – 'To facilitate enterprise and/or residential-led regeneration'. It should be noted that the subject lands associated with the application (SD17A/0428) which this proposal seeks to amend was zoned 'EE - To provide for enterprise and

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employment related uses' when permission was granted. The proposal is assessed under the amendment made to the current plan.

Paragraph 4.1.1 of the County Development Plan states:

"The Council will seek to support the regeneration of older industrial areas on a phased basis by promoting more intensive enterprise and/or residential led development at locations proximate to town centres and transport nodes".

In accordance with Table 11.4 of the County Development Plan, Transport Depot is not permitted within Regen zoning. It is noted that paragraph 11.1.1 (vi) allows for non-conforming uses, point 2 cites one instance where this may occur as being when there is a valid permission. *"Development proposals that relate to uses referred to under categories 1 and 2 above, particularly those that would intensify non-conforming uses, will be permitted only where the proposed development would not be detrimental to the amenities of the surrounding area and would accord with the principles of proper planning and sustainable development. This includes the integration of land use and transport planning"*.

The principle of the proposal is therefore linked with the impacts, which are set out below.

A report from the SDCC Forward Planning Team has stated:

"The subject site falls within the boundary of the Naas Road / Ballymount / Park West area (referred to City Edge Project Area hereafter) lands, which spans over 700 hectares and includes Dublin City Council's Naas Road LAP lands..."

It is considered that the principle of the proposed development at this specific location will not compromise the emerging vision or objectives of the City Edge Area".

Residential and Visual Amenity

The application site is not close to any residential properties. No comments have been received from the EHO.

It is noted that the description includes *"minor elevational amendments to the existing transport depot building (relocation and addition of roller shutter doors and relocation of signage)"*. It is noted that existing elevations have been included, however, no proposed elevations have been provided. The document schedule submitted with the application does not indicate that proposed elevations were submitted. The applicant indicated in their planning statement that the changes have been implemented since previous grant and that the 'as existing' includes these changes, which are considered to be minor and permissible under Section 4(1)h of the Planning and Development Act. Nevertheless, the applicant has included these matters within the description of development.

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As such, the applicant is requested to provide 'as permitted' elevations to enable assessment of the visual impact. This should be provided as **additional information**.

There are a number of other features that would impact on visual amenity:

- The increase in hardstanding to create the parking areas: The site is set back from Ballymount Road Lower and there is a grass strip between the road and the site. The proposal would significantly increase the parking to the south east elevation of the building. At present, there appears to be car parking in this location. The proposal would provide for bus parking, as well as electric vehicle points close to the site boundary. In addition to this, double decker parking would be provided along the south west (where there is currently car parking). Double decker parking would also be provided to the north east – close to the boundary than the existing bus parking. It is noted that there are no objections from Parks in relating to the proposed landscaping. However, the Planning Authority has some concerns regarding the visual impact, given the significant level of additional bus parking. It is noted that the area is currently industrial, however, the proposal would introduce a significant level of bus parking on currently green areas. In addition to this, it is apparent that the grass strip outside of the applicant's control is labelled 'reservation for future road widening'. The applicant is, therefore, requested to provide photomontages of the site in the wider context indicating the development as existing and as proposed. This should be provided as **additional information**.
- New access, including barrier and ramp: This would be located to the north of the site. There is existing fencing along the road. The addition of the new access would not have a significant impact on visual amenity and the gates would match the existing fencing in terms of materials and height.
- Provision of 4 pedestrian entrances: These would be to the south, east and north. Gates would be provided at the access points, through the existing fence and construction would match the existing fencing in terms of materials and height. It is noted that the footpaths extend outside the redline and the applicant is seeking a condition to agree the final location of these routes should permission be granted.
- hard and soft landscaping: these are discussed below.
- boundary treatments: These would match existing
- changes in level: It is apparent that a change in levels would occur as a result of the introduction of concrete slab. The applicant has provided some details of this, however, in order to assess the proposal, a full section east west and north south for both the existing and proposed to enable a full assessment of the impacts. This should be provided via **additional information**. The applicant is also requested to clarify whether there are any other changes in levels via **additional information**.

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Relocation of Powerline

The applicant states in the description of development that “*The development will also include the underground diversion of the existing ESB power line traversing the south-eastern corner of the site*”.

It is noted that Pole C (within the site) would be removed. The underground diversion would take place from Pole D (outside the redline) and Pole B (within the redline). Between Pole B and Pole A (outside the redline) an overground diversion would take place.

The applicant has provided a planning statement. Paragraph 5.6 indicates discussions have taken place between the ESB and the applicant and an agreement has been reached in principle.

It is not apparent that the relocation of powerlines forms part of the application, but rather the applicant is indicating that the impact of the proposal is acceptable as the overhead powerlines would be diverted. This is considered acceptable.

Parks and Landscaping

Parks has stated:

1. “Existing Trees and Hedgerows

There are concerns with the lack of information submitted in relation to existing trees and hedgerows within the subject site area. The applicant is requested to submit a detailed tree and hedgerow survey report for the trees within the subject site area. This tree survey should be undertaken by a suitably qualified arborist. The report should provide detailed information on the condition and health of the existing trees and it should also clearly detail what impacts the development will have on the trees but also potentially the tree roots.

2. New Tree Planting

Additional tree planting should be considered as part of the landscape proposals. The planting of more trees especially in the urban environment is considered one of the key strategies in mitigating the impacts of climate change. Trees sequester carbon and store it during its photosynthesis process. In addition, trees can also:

- Prevent flooding*
- Reduce city temperature*
- Reduce pollution*
- Keep soils nutrient-rich*

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3. SUDS

There is a lack of SuDS (Sustainable Drainage System) shown for the proposed development. Natural SUDS features should be incorporated into the proposed drainage system. The SUDS should be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022. The current drainage scheme does not fully comply with the objectives of the development plan in terms of Green Infrastructure or as regards the proper implementation of SUDS”.

There are no objections subject to conditions. Given additional information is requested regarding other matters, it is considered the matters raised by Parks should also be addressed via **additional information**.

Services and Drainage

It is noted that the proposed development would remove green areas and increase hardstanding within the site. Underground attenuation would be provided. Water Services has raised no objections subject to conditions. The conditions include:

- provision of surface water drainage layout
- drawing indicating what suds are proposed for the development
- drawing indicating petrol interceptor

In accordance with Paragraph 11.6.1(iii) “In general, all new developments will be required to incorporate Sustainable Urban Drainage Systems (SUDS). SUDS include devices such as swales, permeable pavements, filter drains, storage ponds, constructed wetlands, soakways and green roofs. In some exceptional cases and at the discretion of the Planning Authority, where it is demonstrated that SUDS devices are not feasible, approval may be given to install underground attenuation tanks or enlarged pipes in conjunction with other devices to achieve the required water quality. Such alternative measures will only be considered as a last resort”.

It is noted that an engineer's report has been provided, which indicates more detail surrounding surface water, swales, petrol interceptors and the attenuation tank. In light of Paragraph 11.6.1(iii), the applicant is requested to detail their approach to surface water drainage in terms of feasibility. It should be noted that underground attenuation is generally only permitted where SuDS is not feasible. The applicant should demonstrate why SUDS and natural solutions are not feasible. Where they are feasible these should be incorporated within the overall design.

Water Services has raised no objections in terms of flood risk. No objections have been raised from Irish Water, subject to conditions.

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Access and Parking

Roads has no objections, subject to conditions. Given additional information is requested regarding other matters, it is considered the matters raised by roads should also be addressed via **additional information**.

SEVESO

The HSA does not advise against granting permission.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Other Considerations

Development Contributions

- No additional floor area.

Monitoring for Strategic Environmental Assessment

Building Use Type Proposed Industrial

Floor Area (sq. m) 0

Land Type Brownfield/Urban Consolidation

Site Area (ha) 2.3

Conclusion

Having regard to the 'REGEN' zoning objective of the site, and the nature and scale of the proposed development, it is considered that **additional information** is required to determine the principle of the proposal is acceptable and the impacts in terms of visual, drainage, roads and landscaping are also acceptable and would accord with the South Dublin County Council Development Plan 2016-2022.

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Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The Planning Authority has concerns regarding the visual impact of the proposed development. The applicant is requested to provide the following information, to enable full assessment of the visual impact:
 1. 'As permitted' elevations (under SD17A/0428).
 2. Photomontages indicating existing, as permitted (under SD17A/0428) and as proposed development. These should show the site and the wider area.
 3. Full sections through the site, north/south and east/west, indicating existing and proposed levels.
2. Trees.

There are concerns with the lack of information submitted in relation to existing trees and hedgerows within the subject site area. The applicant is requested to submit a detailed tree and hedgerow survey report for the trees within the subject site area. This tree survey should be undertaken by a suitably qualified arborist. The report should provide detailed information on the condition and health of the existing trees and it should also clearly detail what impacts the development will have on the trees but also potentially the tree roots.
3. The planting of more trees especially in the urban environment is considered one of the key strategies in mitigating the impacts of climate change. Trees sequester carbon and store it during its photosynthesis process. In addition, trees can also:
 - Prevent flooding
 - Reduce city temperature
 - Reduce pollution
 - Keep soils nutrient-richThe applicant is requested to provide information on additional tree planting as part of the landscape proposals.
4. a) The current drainage scheme does not fully comply with the objectives of the development plan in terms of Green Infrastructure or as regards the proper implementation of SUDS. There is a lack of SuDS (Sustainable Drainage System) or natural solutions shown for the proposed development.

Natural SUDS features should be incorporated into the proposed drainage system. SUDS should be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022.

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The applicant is requested to submit a revised drawing and report to clearly show what SuDS are proposed for the development.

b) In accordance with Paragraph 11.6.1(iii) of the County Development Plan, 'In general, all new developments will be required to incorporate Sustainable Urban Drainage Systems (SUDS). SUDS include devices such as swales, permeable pavements, filter drains, storage ponds, constructed wetlands, soakaways and green roofs. In some exceptional cases and at the discretion of the Planning Authority, where it is demonstrated that SUDS devices are not feasible, approval may be given to install underground attenuation tanks or enlarged pipes in conjunction with other devices to achieve the required water quality. Such alternative measures will only be considered as a last resort'.

The applicant is requested to omit the proposed attenuation tank and provide sufficient SUDS, unless it can be demonstrated that SUDS are not feasible.

5. a. The applicant is requested to submit a revised drawing showing the surface water layout for the development up to and including the point of connection to the public sewer. The drawing should include the location of all AJs, manholes, pipe size, material type and direction of flow.
b. The applicant is requested to submit a revised drawing showing a petrol interceptor on surface water network prior to surface water entering surface water attenuation system. This is required to reduce the risk of attenuation system being from contaminated from hydro-carbons.
6. The applicant is requested to provide a revised layout plan indicating
 - a. a visibility splay of 2.0m x 45m in both directions from the entrance. Sightlines should be to the near side edge of the road to the right-hand side of entrance and to the centreline of the road to the left-hand side of the entrance (when exiting).
 - b. 5% of vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging.

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REG. REF. SD21A/0213

LOCATION: 12, Ballymount Road Lower, Dublin 12



Tracy McGibbon
A/Senior Executive Planner

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date:

27/9/21



Eoin Burke, Senior Planner