

**An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
Telephone: 01 4149000 Fax: 01 4149104 Email: [planning.dept@sdublincoco.ie](mailto:planning.dept@sdublincoco.ie)**

**Peter Kavanagh,  
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Unit F3, Calmount Park  
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Dublin 12**

**NOTIFICATION OF DECISION TO GRANT PERMISSION  
PLANNING AND DEVELOPMENT ACT 2000 (as amended) & PLANNING  
REGULATIONS THEREUNDER**

<b>Decision Order Number:</b> 1506	<b>Date of Decision:</b> 19-Nov-2021
<b>Register Reference:</b> SD21A/0182	<b>Date:</b> 22-Oct-2021

**Applicant:** Airtraks Ltd T/A ATC Computer Transport

**Development:** Alterations to an existing granted planning application, Reg. Ref. SD20A/0204, for a warehousing development consisting of provision of a new separate ancillary workshop building to the site's western corner measuring 278sq.m, overall height 9.7m; provision of new extended glazed entrance of ancillary office at ground floor (28sq.m, 5.9m high) to the front north-western elevation and new emergency exit route at first floor (43sq.m) exiting to side north-eastern elevation by new external stairs. Additional floor area provided 71sq.m; the alterations above result in total floor area increase by 349sq.m (from 2,222sq.m to 2,571sq.m); provision of 3 internally lit building mounted business logo signs, 12.25sq.m each (12.7m above ground level) to the front (north-western), side (north-eastern) and rear (south-eastern) elevations; provision of 3 10m high flagpoles to the north of the site, with a distance of approx. 31m from the warehouse and new extended office entrance; provision of 288sq.m solar panels to the roof of the warehouse; provision of a new recessed access/egress, rearrangement of truck wash area and refuel area and partial revision of the north-western site's boundary

fence type C; elevation and site plan revisions associated with entrance porch, signage and fire exit stairs; and associated drainage adjustments due to the inclusion of the above alterations; all other details will remain as per the granted application Reg. Ref. SD20A/0204.

**Location:** Baldonnell Business Park, Baldonnell, Dublin 22

**Floor Area:**

**Time extension(s) up to and including:**

**Additional Information Requested/Received:** 26-Aug-2021 /22-Oct-2021

**Clarification of Additional Information Requested/Received:**

**DECISION TO:** Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, for the reasons set out in the First Schedule hereto, to **GRANT PERMISSION** for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

#### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the condition(s) set out hereunder is thereby in accordance with the proper planning and sustainable development of the area.

#### **SECOND SCHEDULE**

##### **Conditions and Reasons:**

1. Development to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 22 October 2021, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Compliance with Conditions.  
All conditions of parent permission granted under Reg. Ref. SD20A/0204, to which this

application will have the effect of creating modifications to, shall apply, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

3. Amendments Permitted

Permission is hereby granted solely for those amendments which are set out in Statutory Public Notices and description of development under Section 9 of the planning application form submitted.

REASON: In the interest of clarity, consistency and the proper planning and sustainable development of the area.

4. Roads.

(a) Prior to the commencement of development, the applicant shall submit a revised layout plan, indicating a concrete 1.8m wide footpath surrounding the proposed building and access locations. The footpath shall be constructed of permeable material(s).

(b) No gate installed or erected shall be capable of opening across any public footpath, cycle track, roadway or right of way. Or vehicles blocking any public footpath, cycle track, roadway or right of way when halted in the access recessed area.

(c) Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme with the Planning Authority. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of the Planning Authority.

(d) Prior to the commencement of development a developed Construction Traffic Management Plan shall be agreed in writing with the Planning Authority. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

(e) A Mobility Management Plan shall be completed within six months of opening of the proposed development. The Mobility Management Plan shall be agreed with the roads department and the agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

REASON: In the interests of sustainable transport.

5. Environmental Health - Noise Construction Phase.

(a) No heavy construction equipment/machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 08:00 hours on weekdays and 09:00 on Saturdays nor after 19:00 hours on weekdays and 13:00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

(b) Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood. The applicant must comply with British Standard B.S. 5228 Noise Control on Construction and Open Sites.

Environmental Health - Noise Operational Phase.

(c) Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

(d) The development shall be so operated that there will be no emissions of noise/vibration on site as would give reasonable cause for annoyance to any person in any nearby premises.

Environmental Health - Dust.

(e) During the construction phase, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions detailed in the environmental report submitted as part of the planning application.

(f) All necessary measures shall be taken by the developer to prevent the spillage or deposit of clay rubble and other debris on adjoining roads during the course of the work implementing this permission.

Environmental Health - Lighting.

(g) No lighting and signage lighting on the site shall be intrusive to any light sensitive location, public areas or commercial buildings in close proximity to the development.

Environmental Health - Pest Control.

(h) The applicant shall take suitable pest control precautions on site so as to control rodent activity on site. This may include precautionary laying of bait, covering of all skips, control of all waste on site and regular inspection of any stockpiles of earth on site for rodent activity.

Environmental Health - Waste Storage.

Prior to the commencement of development a suitable location for the storage of refuse during the fitting out and operational phase of the development shall be provided for the written agreement of the Planning Authority.

REASON: In the in interests of public health.

## 6. Irish Water.

### 1. Water

(a) The applicant shall submit the following prior to the commencement of development;  
- The applicant shall engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure. The Confirmation of Feasibility (COF) shall be submitted, prior to the commencement of development. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

(b). All works shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure

### 2. Foul

(a) The applicant shall submit the following, prior to the commencement of development:  
The applicant shall engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public

wastewater infrastructure. The Confirmation of Feasibility (COF) shall be submitted, prior to the commencement of development. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

(b) All works shall comply with the Irish Water Standard Details & Code of Practice for WasteWater Infrastructure.

REASON: In the interest of public health and to ensure adequate water and wastewater facilities.

7. Drainage - Irish Water.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(c) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €31,797.39 (thirty one thousand seven hundred and ninety seven euros and thirty nine cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing [customerservice@water.ie](mailto:customerservice@water.ie).

9. That arrangements be made with regard to the payment of financial contributions in respect of the overall development, as required by Condition No. 12 of Register Reference SD20A/0204., arrangements to be made prior to commencement of development.

REASON: It is considered reasonable that the developer should contribute towards the cost of providing services and to ensure that a ready sanction may be available to the Council to induce provision of services and prevent disamenity in the development.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014 the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

*Brian Connolly*  
for Senior Planner

22-Nov-2021

## NOTES

### **(A) 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 related 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 two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations. 200 I should be consulted.

### **(B) APPEALS**

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
2. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:  
**The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.**
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
  - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development.....€4,500.00 or €9,000 if an E.I.A.R. is involved
  - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
  - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)..... €660.00
  - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) ..... €220.00
  - (e) Application for leave to appeal..... €110.00
  - (f) Appeal following a grant of leave to appeal..... €110.00
  - (g) Referral ..... €220.00
  - (h) Reduced fee (payable by specified bodies) ..... €110.00
  - (i) Submission or observations (by observer) ..... €50.00
  - (j) Request from a party for an Oral Hearing..... €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at Telephone 01-858 8100