

**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)**

**Thornton O'Connor Town Planning**  
**1, Kilmacud Road Upper**  
**Dundrum**  
**Dublin 14**

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

<b>Decision Order Number:</b> 1556	<b>Date of Decision:</b> 30-Nov-2021
<b>Register Reference:</b> SD21A/0140	<b>Date:</b> 03-Nov-2021

**Applicant:** Exeter Ireland Property IV C Ltd.

**Development:** Construction of 1 warehouse with ancillary office and staff facilities and associated development. The warehouse will have a maximum height of 16 meters with a gross floor area of 22,966sq.m including a warehouse area (21,113sq.m), ancillary office areas (1,163sq.m) and staff facilities (690sq.m); the provision of a new vehicular access to the site from Jordanstown Road including 2 additional access gates from this new road to the existing Site E to the north; pedestrian access; 210 ancillary car parking spaces; bicycle parking; HGV yards; level access goods doors; dock levellers; access gates; hard and soft landscaping; lighting; boundary treatments; ESB substation; plant; extinguishment of the existing vehicular access (farm gate) in lieu of a proposed pedestrian access gate at the southern portion of the site from the R120; and all associated development works above and below ground; all on a site of 5.67 on lands that are bounded to the west by Blocks A - D Jordanstown Road, to the south and east by greenfield lands and to the north by greenfield lands and Block E. The site abuts the R120 Newcastle Village to Rathcoole Road to the south.

**Location:** Block R, Jordanstown Road, Aerodrome Buisness Park, Rathcoole, Co. Dublin

**Floor Area:**

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

**Additional Information Requested/Received:** 22-Jul-2021 /03-Nov-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 03/11/21, 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. Casement Aerodrome.
  - (i) Given the proximity to Casement Aerodrome, operation of cranes shall be coordinated with Air Corps Air Traffic Services, no later than 28 days before use, contactable at [airspaceandobstacles@defenceforces.ie](mailto:airspaceandobstacles@defenceforces.ie) or 01-4037681
  - (ii) The developer shall liaise with Military Air Traffic Services to agree an appropriate obstacle lighting pattern. Obstruction lights used shall be incandescent or of a type visible to Night Vision Equipment. Obstruction lighting fitted to obstacles must emit

light at the near Infra-Red (IR) range of the electromagnetic spectrum specifically at or near 850nanometres (nm) of wavelength. Light intensity to be of similar value to that emitted in the visible spectrum of light.

(iii) Due to the proximity to Casement Aerodrome, the developer shall implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.

REASON: In the interests of aviation safety.

3. Environmental Health Officer.

(1) No heavy/noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 hours 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.

(2) 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.

(3) During the construction/demolition phase of the development, 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 necessary to prevent dust nuisances.

(4) A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.

(5) The applicant shall put in place a pest control contract for the site for the duration of the construction works.

(6) 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).

(7) Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.

(8) Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.

(9) Clearly audible or impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

Deliveries to the premises and collections shall be operated in such a manner as not to give rise to any noise nuisance to neighboring residents and properties.

REASON: In the interest of public health and safety.

4. Roads .

(i) The applicant shall reinstate the footpath and the grass verge at the pedestrian/cycle access off the R120 College Lane to its original state (for clarity at the existing field gate).

(ii) The proposed development shall make provision for the charging of electric vehicles 100% of spaces must be provided with electrical ducting and termination points to allow

for the provision of future charging points, and 10% of surface car parking spaces shall be provided with electric vehicle charging points initially. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. REASON: In the interest of sustainable transport.

(iii) All HGV parking directly and indirectly associated with the operations of warehouse use on the site shall be within the site outlined in red on the Site Layout Plan. For clarity, no HGV parking shall take place outside of the boundaries of the site.

(iv) All Roads footpaths, cycle paths and hard standing areas shall be constructed in accordance with South Dublin County Council 'Taking in charge standards'.

(v) Within six months of the opening of the development hereby granted, a Mobility Management Plan shall be completed to the satisfaction of the Planning Authority and submitted for the written agreement of the Planning Authority.

REASON: In the interest of sustainable transport, to prevent HGV parking in the immediate area and in the interests of proper planning and sustainable development.

#### 5. Surface Water Drainage.

(i) Ensure that a petrol interceptor is on surface water drain before the entry point of surface water attenuation system. This is to prevent hydro-carbons entering surface water attenuation system.

(ii) Include water butts in proposed development as part of SuDS (Sustainable Drainage System).

Flood Risk.

Provide suitable measures so that proposed development does not increase any flood risk to properties upstream or downstream of proposed site development.

- The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
- All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

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

#### 6. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

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

#### 7. Office Use.

No unit or section of the proposed floorspace shall be exclusively used or sub let as offices and all office use shall be ancillary to the logistics/warehousing use.

REASON: In the interest of clarity and to comply with the land zoning provisions set out for the area in the South Dublin County Development Plan 2016-2022.

8. Mitigation Measures.

All mitigation measures set out in the documentation submitted in support of the application, including in particular those set out in the Aerodrome Safety Assessment and Ecological Mitigation Measure, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.

REASON: In the interest of the protection of the environment and aviation safety.

9. Limitations on Use.

The use of the units shall be limited to logistics/warehousing and shall not be used for industrial purposes or for any other purpose without a prior grant of planning permission.

REASON: In the interest of clarity and of orderly development, and having regard to the proximity of Casement Aerodrome, the existing uses in Aerodrome Business Park, and the proximity of the national road and motorway infrastructure, as well as the level of car parking provided.

10. Floorspace.

No additional floorspace shall be formed by means of internal horizontal division within the building hereby permitted unless authorised by a prior grant of planning permission.

REASON: To control the intensity of development and to ensure that adequate car parking and service facilities will be provided within the development.

11. Public Lighting

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 South Dublin County Council Lighting Department.

REASON: In the interests of public safety.

12. Management Scheme.

The development shall be managed in accordance with a management scheme that shall be submitted to, and agreed in writing with, the planning authority prior to the occupation of the commercial unit. This scheme shall provide adequate measures for the future maintenance of the development, including landscaping, roads, paths, parking areas, lighting, waste storage facilities and sanitary services.

REASON: To provide for the satisfactory future maintenance of this development in the interest of visual amenity and orderly development.

13. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

REASON: In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

14. Further Development.

No additional development shall take place above roof parapet level, including lift motor

enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennae or equipment, unless authorised by a further grant of planning permission.

REASON: To protect the visual amenities of the area.

15. Signage.

No additional advertising sign(s) or structure(s) (including any signs installed to be visible through windows), banners, canopies, flags, or other projecting elements shall be erected except those, which are exempted development, without the prior approval of the Planning Authority or An Bord Pleanála on appeal.

REASON: In the interest of visual amenity, compliance with development plan policies and the proper planning and sustainable development of the area.

16. Landscaping.

The Landscape Plan, shall be implemented in full within the first planting season following completion of the development (completion of construction works on site) and prior to occupation of the new buildings.

- All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plans.

- All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

- All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 ‘Trees in Relation to Design, Demolition and Construction – Recommendations’.

- Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted

REASON: In the interests of amenity, compliance with Development Plan policy, the provision, establishment and maintenance of a reasonable standard of landscape and the proper planning and sustainable development of the area.

17. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2,012,045.27 (two million twelve thousand and forty five euros and twenty seven 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.

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 requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

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.


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.

  
for Senior Planner

06-Dec-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, 2001 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