

**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> 1557	<b>Date of Decision:</b> 02-Dec-2021
<b>Register Reference:</b> SD21A/0200	<b>Date:</b> 05-Nov-2021

**Applicant:** Jordanstown Properties Limited

**Development:** Amendments principally comprising of an overall increase in the commercial floor area by 15,479sq.m from the permitted 13,959sq.m to 29,438sq.m; the permitted scheme has 3 internal ancillary office floor levels, and the proposed alterations provide 2 mezzanine levels in the warehouse area (i.e a total of 5 internal floor levels); the permitted maximum height of the development at 23.7 metres will remain unchanged; the additional 15,479sq.m development proposed will comprise an increase in the warehouse floor area from 12,369sq.m to 13,353sq.m, staff facilities from 548sq.m to 2,582sq.m and ancillary office area from 1,042sq.m to 2,437sq.m; in addition to the provision of a 2 storey mezzanine warehouse area (9,703sq.m), integrated plant room (434sq.m) and plant area on 2 floors (929sq.m); construction of a 2 storey car-parking area (4,057sq.m and 7.8m height) to accommodate an increase from the previously permitted 119 ancillary car parking spaces to 190 car parking spaces; 13 designated van parking spaces (no dedicated van spaces previously proposed); 72 permitted cycle parking spaces; reconfiguration of the HGV yard and an increase in the number of HGV dock levellers from 12 to 14 and the provision of 16

van loading level entry doors; the provision of an additional egress on the eastern boundary to facilitate vans exiting the site; sprinkler tank and associated underground pumps; repositioned ESB substation (15sq.m and 3m height); bin storage (42sq.m and 2.9m height); amended lighting layout; signage; modifications to hard and soft landscaping and boundary treatments; and associated site development works above and below ground.

**Location:** College Lane, Greenogue, Rathcoole, Co. Dublin

**Floor Area:**

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

**Additional Information Requested/Received:** 09-Sep-2021 /05-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 5-November-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. Parent Permission.

All conditions attached to permission granted under Reg. Ref. SD19A/0407 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. Office Space.

Office space on the subject site shall have a maximum floor area of 776sq.m and shall be limited to the office areas as notated/coloured blue on the drawings submitted with the Additional Information response received on 5-November-2021.

REASON: In the interests of complying with zoning and county development Plan policy and in the interests of proper planning and sustainable development of the area.

4. Roads.

(1) A maximum of eighty-seven (87) car-parking spaces and 12 van-parking spaces are hereby granted.

(2) Prior to the commencement of development the applicant shall submit the following for the written agreement of the Planning Authority:

(i) a revised operational detail report, which shall be to the satisfaction of the Roads Department, comprising graphs showing vehicles (HGV, LGV, Cars) against time over 24/7 vehicular movement to and from the subject site.

(ii) a revised layout showing a pedestrian footpath throughout the staff car parking area.

REASON: In the interests of public safety and the proper planning and sustainable development of the area.

5. Aviation Safety.

(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 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.

6. SuDS

Prior to commencement of development a fully detailed SUDS (Sustainable Drainage systems) Plan shall be submitted for the written agreement of the Planning Authority and shall comprise:

(i) Features such as green areas, grasscrete, permeable paving, swale/swales, infiltration

tree pits, all of which shall be consistent with SUDS notated in the landscape proposals submitted in response to the Additional Information request.

(ii) Detail how the swales work as part of an overall treatment train.

(iii) Confirmation of a filter strip.

(iv) Details showing how drainage from the hard surface areas shall be directed to the swales.

(v) The attenuation capacity of each/all of the SUDS features to be included in attenuation calculations.

REASON: To ensure satisfactory implementation of sustainable drainage measures within the site in accordance with the relevant policies and objectives contained within the CDP 2016-2022 and in the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

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.

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. Drainage - Surface Water.

The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

(a) Fully detailed foul and surface water drainage plans for the proposed development as approved showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or 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 drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

(d) The soakaway design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance and shall include documented evidence of infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365.

The revised plans shall provide for a soakaway to be located within the curtilage of the property and this shall be:

(i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.

(ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.

(iii) a minimum of 10m from any sewage treatment percolation area.

(iv) at least 10m from any stream / river / flood plain.

In addition only rainwater shall be discharged to soakaways.

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

#### 9. 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.

#### 10. Bats.

(a) All hedgerows proposed for retention shall be protected during and after construction;

(b) A bat expert shall be retained prior to and during construction works to oversee bat protection works during construction and to undertake bat monitoring surveys for a period of three years post development.

(c) Prior to the commencement of development a revised lighting system shall be designed by the bat expert and shall be submitted for the written agreement of the Planning Authority.

REASON: In the interest of bat protection, as any interference with protected species such as bats and disturbances or destruction of their roosting sites, in particular, is a prosecutable offence under the EU Habitats Directive and S.I. No. 477 of 2011 (European Communities (Birds and Natural Habitats) Regulations 2011).

#### 11. Tree Protection.

(i) Prior to the commencement of development, all hedgerows bordering the site shall be enclosed within stout tree protection fencing in accordance with BS 5837: 2012. This protective fencing shall enclose an area covered by at a minimum the dripline of the hedgerows for its full length, and shall be maintained until the development has been completed.

(ii) No construction equipment, machinery or material shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing.

(iii) No work shall be carried out within the area enclosed by this fencing, and in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree/hedge to be retained. Fencing to be in accordance with BS 5837: 2012 and as specified

REASON: To protect trees and planting during the construction period in the interest of visual amenity.

#### 12. Arborist

(i) Prior to the commencement of any permitted development, the developer shall engage

the services of a Professional Member of Arboricultural Association who is an independent, qualified arborist, for the entire period of construction activity.

(ii) The applicant shall inform the planning authority in writing of the appointment and name of the consultant, prior to commencement of development.

(iii) The consultant shall visit the site at a minimum on a monthly basis, to ensure the implementation of all of the recommendations in the tree reports and plans.

(iv) The applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the Tree Survey and Tree Protection Plan in the submitted tree report.

(v) The arborist shall carry out a post construction hedgerow survey and assessment on the condition of the retained boundary hedgerow. A completion certificate shall be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the planning authority for written agreement upon completion of the works.

REASON: To ensure and give practical effect to the retention, protection and sustainability of trees and hedgerows, during and after construction of the permitted development.

### 13. Landscape Plans

The Landscape Plans, shall be agreed in writing with the Planning Authority prior to the commencement of development. Once agreed, the landscape plans shall be implemented in full, within the first planting season following completion of the development (completion of construction works on site).

(a) Prior to the commencement of any works on site the applicant, owner or developer shall have lodged and agreed with the Planning Authority:

(i) details of planting medium in infiltration tree pit.

(ii) detail on the functioning of the swale consistent with the drainage proposals i.e. use of filter strips rather than shrubs in advance of the swale.

(b) All hard and soft landscape works shall be completed in full accordance with the Landscape Plan once it is approved.

(c) 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).

(d) 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'.

(e) 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: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and area in accordance with the relevant policies and objectives contained within the CDP 2016-2022.

14. CTMP

Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.

REASON: In the interests of amenity, public safety, compliance with Development Plan policy and the proper planning and sustainable development of the area.

15. CDMP

Prior to commencement of the development, the applicant shall submit a developed Construction & Demolition Waste Management Plan for the written agreement of the Planning Authority.

REASON: In the interests of amenity, public safety, compliance with Development Plan policy and the proper planning and sustainable development of the area.

16. MMP

A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.

REASON: In the interest of sustainable transport.

17. EV Charging.

The proposed development shall make provision for the charging of electric vehicles. 100% of spaces shall 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.

18. Street Lighting

A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of works on site the applicant, owner or developer shall have lodged with the Planning Authority for written agreement:

A Public Lighting Scheme for the development as approved, designed to provide for high quality public lighting throughout the public realm of the site, prepared by competent public lighting design consultants to BS5489: European Lighting Standard EN13201 2013 or the latest NSAI (National Standards Authority of Ireland) versions approved, and the SDCC Specification for Public Lighting Installations in Residential and Industrial Developments: Revision 2 dated 14/10/2016.

Completed Lighting Design and Electrical designs to serve the entire development including details of the overall height of all proposed equipment shall be lodged with the Public Lighting Scheme. The public lighting scheme shall be contained within the public realm of the development as approved, entirely in areas to be offered for taking in charge or subject to the responsibility in perpetuity of an approved management

company.

Appropriate natural or artificial lighting or both shall be provided and maintained throughout car parking areas.

The external lighting scheme shall be designed to minimise potential glare and light spillage and shall be positioned and/or cowled away from residential properties. No lighting column shall be located within the eventual canopy spread of any proposed street tree or other tree as the case may be. The public lighting design consultants should consult with the Council's Parks section in this regard.

In addition, no dwelling unit/commercial unit shall be occupied on any street until the public lighting provided for that street is operational fully in accordance with the agreed Public Lighting Scheme for the overall development.

The applicant, owner or developer may consult with the Council's Public Lighting Section before lodging the required plan for agreement.

REASON: In the interests of public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.

19. Bicycle Parking.

All bicycle parking spaces shall be covered.

REASON: In the interest of sustainable transport.

20. Taking In Charge

All Roads, footpaths, cycle paths and hard standing areas shall be constructed to appendix 6 'Taking in charge standards'.

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

21. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €2,398,015.20 (two million three hundred and ninety eight thousand and fifteen euros and twenty 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.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

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>.

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* \_\_\_\_\_ **06-Dec-2021**  
for **Senior Planner**

## 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