

# Comhairle Chontae Atha Cliath Theas

**PR/1591/21**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD21A/0280      **Application Date:** 14-Oct-2021  
**Submission Type:** New Application      **Registration Date:** 14-Oct-2021  
**Correspondence Name and Address:** Fergal O' Malley Timbertech Homes Ltd, Ballinakill Yard, Enfield, Co. Meath  
**Proposed Development:** New office space at first floor level (66.sq.m); minor alterations on the road frontage elevation (southeast) to include additional windows for new offices; all works proposed are ancillary to the use of the existing building and business.  
**Location:** Unit 10-13, Block 1, Weatherwell Industrial Estate, Neilstown, Clondalkin, Dublin 22  
**Applicant Name:** Davenham Engineering Ltd.  
**Application Type:** Permission

(SW)

### **Description of Site and Surroundings:**

Site Area: Stated as 0.335ha

#### Site Description:

The site is an existing warehouse with ancillary facilities, located within Weatherwell Industrial Estate, off Station Road, Clondalkin. The area is predominantly industrial, however, a residential estate is adjacent to the application site to the south west. The northern element of the site sits below Station Road, which is elevated. A train line runs to the north.

### **Proposal:**

Permission is sought for:

- New office space at first floor level (66sq.m);
- minor alterations on the road frontage elevation (southeast) to include additional windows for new offices;

all works proposed are ancillary to the use of the existing building and business.

### **Zoning:**

The site is designated 'EE' – to provide for employment and enterprise related uses.

### ***SEA Sensitivity Screening:***

Indicates no overlap.

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### **Consultations:**

*Water Services:* No objections, subject to conditions.  
*Irish Water:* No objections, subject to conditions.  
*Roads:* No objections, subject to conditions.  
*Parks:* No comments

### **Submissions/Observations /Representations**

None received.

### **Relevant Planning History**

#### *Application Site:*

S98A/0922 Two storey office extension to the north east corner of unit 13 measuring 187.2sq.m.; a single storey extension to the south east corner of unit 12 measuring 275sq.m. of storage. External boundary dwarf wall and railings including two number pairs of gates; complete new external cladding to the east, north and west elevations, additional car parking and associated landscaping; internal alterations to the existing layout, including new changing rooms and cloakroom facilities. The above development involves the demolition of 2 Ard na Greine and St. Anthonys, Cloverhill Road (Station Road). **Permission Granted.**

#### *Adjacent sites:*

SD18A/0299 New industrial unit for storage space facility, 98sq.m and 8.2m in height and all associated site works. **Permission Granted**

SD18A/0054 Change of use from office space to take away and the erection of external signage. **Permission Granted**

S02A/0092 Warehouse extension to side of Unit 4, with increased car parking spaces from previous application (reg. S01A/0781). **Permission Granted**

### **Relevant Enforcement History**

None traced.

### **Pre-Planning Consultation**

None.

### **Relevant Policy in South Dublin County Council Development Plan (2010-2016)**

*Section 1.12.0 Employment Lands*

*Section 4.2.0 Strategic Policy For Employment*

*Policy ET1 Economic and Tourism Overarching Policies and Objectives*

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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.

#### *Policy ET3 Enterprise and Employment (EE)*

It is the policy of the Council to support and facilitate enterprise and employment uses (hightech manufacturing, light industry, research and development, food science and associated uses) in business parks and industrial areas.

#### *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*

#### *7.3.0 Flood Risk Management*

##### *Policy IE3 Flood Risk*

#### *Section 7.5.1 Waste and Resource Policy and Legislation*

##### *Policy IE5 Waste Management*

#### *Section 7.6.0 Major Accidents Directive*

##### *Policy IE6 Major Accidents*

#### *7.7.0 Environmental Quality*

##### *Policy IE6 Environmental Quality*

#### *Section 8.0 Green Infrastructure*

##### *Policy G5 Sustainable Urban Drainage Systems*

##### *Policy G6 New Development in Urban Areas*

#### *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*

##### *Policy E5 Waste Heat Recovery & Utilisation*

##### *Table 11.18: Key Principles for Development within Enterprise and Employment Zones*

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*Section 11.2.5 Enterprise and Employment Areas*

*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*

#### **Relevant Government Guidelines**

*National Roads Guidelines, Spatial Planning and National Roads Guidelines (Jan 2012)*

*Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).*

*Traffic and Transport Assessment Guidelines, National Roads Authority, (2007)*

*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,
- visual impact,
- residential amenity,
- access and parking,
- services and drainage,
- appropriate assessment
- environmental impact assessment.

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### ***Zoning and Council Policy***

The site is located in an area zoned EE – Offices of less than 100sq.m are permitted in principle and Offices 100sq.m - 1,000sq.m are open for consideration.

The proposal is for 66sq.m of office space, however, it is noted that there are already ancillary offices within the warehouse. The total floorspace of these is approx. 147.5sq.m. The total with the proposed offices would be 213.5sq.m. The total floor area of the unit is 1,750sq.m. Approx 12% of the floorspace would be as offices following the proposed development. The new offices would be situated at mezzanine level.

The proposal is, therefore, considered to be generally acceptable in principle as, with the addition of the 66sq.m, the offices would still remain ancillary to the main warehouse use.

The alterations and insertion of windows are acceptable in principle.

### ***Visual Impact***

There are some proposed alterations to the exterior of the building, these are:

- Three additional groups of windows on the east elevation – these match the existing windows on that elevation in terms of situation and design.

These windows would serve the new office area. They have an acceptable impact in terms of visual amenity.

### ***Residential Amenity***

The proposed alterations would not impact the amenity of the adjacent residential units.

### ***Access and Parking***

Roads has stated:

#### ***“Access:***

*The proposed development has two existing vehicular accesses no. 01 vehicular access is located north west on to private road with in Weatherwell Industrial Estate no. 2 vehicular access is located at south west onto Station Road and a pedestrian gate is also located on to Station Road. As the basic access arrangement is unchanged, and the existing arrangement is working satisfactorily, roads have no objections to the development.*

#### ***Car Parking:***

*The applicant proposes 2 additional car parking spaces which will make a total 29 car parking spaces, including 1 parking spaces for mobility impaired user, and 2 parking spaces equipped with electrical charging point.*

*The total car parking proposed is below the maximum allowable parking provision as per SDCC's CDP 2016-2022, Road's Department is satisfied with this car parking provision.*

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#### ***Bicycle Parking:***

*The applicant proposes 10 bicycle parking spaces, proposed bicycle parking is as per SDCC's CDP 2016-2022, Road's Department is satisfied with this provision".*

There are no objections, subject to a condition surrounding covering of cycle parking spaces.

#### ***Services and Drainage***

Water Services and Irish Water have objections, subject to standard conditions.

#### ***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.

#### ***Screening for Environmental Impact Assessment***

Having regard to the 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.

#### ***Other Considerations***

##### ***Site Layout Plan***

Two 'Existing Site Plans' have been submitted. It is clear that the second site plan is the proposed plan as it includes electrical charging car spaces and a mobility car space. A condition will be attached that a revised Proposed Site Plan be submitted for the public file, in the interests of clarity.

#### ***Development Contributions***

Change of use from warehouse mezzanine to office – 66sq.m

#### ***SEA Monitoring Information***

- *Building Use Type Proposed-* office
- *Floor Area (sq. m.)-* 66
- *Land Type-* Brownfield
- *Site Area (Ha.)-* Stated as 0.335ha

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### **Conclusion**

In conclusion it is considered that the proposed extensions are acceptable in principle and, subject to conditions would not seriously injure the amenities of the area, and would accord with the South Dublin County Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, 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 condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

### **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 conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, 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. Site Layout Plan.  
Prior to the commencement of development a revised Site Layout Plan that is correctly labelled 'Proposed Site Layout Plan' shall be submitted for placement on the Planning Register File.  
REASON: In the interests of clarity.
3. Drainage.
  - (a) Where practical, the applicant shall include SuDS (Sustainable Drainage Systems) in the proposed development.
  - (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.
  - (c) All works for this development shall comply with the requirements of the Greater

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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.

4. Irish Water Connection Agreement.

Where relevant, 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.

5. Cycle Parking.

All external bicycle parking spaces shall be covered.

REASON: In the interests of sustainable transport.

6. Minimise Air Blown Dust.

During the construction and or 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. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

7. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 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.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect



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of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

#### 8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €6,013.26 (six thousand and thirteen euros and twenty six 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.


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**REG. REF. SD21A/0280**

**LOCATION: Unit 10-13, Block 1, Weatherwell Industrial Estate, Neilstown, Clondalkin,  
Dublin 22**

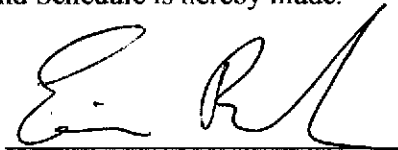


**Tracy McGibbon,  
A/Senior Executive Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:**

8/12/21



**Eoin Burke, Senior Planner**