

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0281 **Application Date:** 14-Oct-2021
Submission Type: New Application **Registration Date:** 14-Oct-2021

Correspondence Name and Address: O' Connor Whelan 222-224, Harolds Cross Road,
Dublin 6w

Proposed Development: 1 industrial storage building to the west of the main
complex with an area of 465.3sq.m and a height of
8.8m; all associated site works and utility connections.

Location: Nangor House, New Nangor Road, Gallanstown, Co.
Dublin, D12 F726

Applicant Name: Diageo Baileys Global Supply

Application Type: Permission

Description of Site and Surroundings

Site Area

Stated as 12.28 Hectares.

Site Description

The subject site is located at Nangor House, Gallanstown, which is a complex with an existing industrial use. The site forms part of a larger industrial landholding utilised by the Applicant for production and distribution of their products.

The subject site is bound to the north by the Grand Canal, to the south by the Nangor Road, to the west by the Oak Road and to the east by industrial buildings. A watercourse runs along the western boundary of the site, which connects with the Camac River. A significant tree stand is located along the western boundary, which connects the Camac River in the South with the Grand Canal in the north.

Site Visit

17th and 24th November 2021.

Proposal

The proposed development is comprised of:

- Modifications to an industrial storage building previously permitted under SD20A/0120, increasing the gross floor area from 244sq.m to 465.3sq.m and increasing the permitted height from 7m to 8.8m.

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

- The proposed industrial storage building is located to the west of the main complex and is comprised of a double height shed structure with a pitched roof with a height of 8.8m and a gross floor area of 465.3sq.m. The structure will be utilised for the storage of flavourings required for the production process of the Applicant's product.
- The proposed structure includes 2 roller doors in the northern elevation (5m high) and 2 pedestrian doors in the northern and eastern elevations. The unit will be finished with Kingspan Firesafe Composite Panels with rooflights along the eastern and western elevations.
- All ancillary site works above and below ground.

Zoning

The subject site is subject to zoning objective 'Regen' to 'facilitate enterprise and/ or residential led regeneration' under the South Dublin County Council Development Plan 2016-2022 as a consequence of Variation number 3 of the County Development Plan.

Pre-Planning Consultation

None recorded for the subject site.

Relevant Enforcement History

None recorded for the subject site.

SEA Sensitivity Screening

Site is located within SFRA B and close to a pNHA.

Submissions/Observations/Representations

Final date for submissions 17th November 2021.

None received.

Consultations

| | |
|-------------------------------|--------------------------------------|
| Drainage and Water Services: | No objection, subject to conditions. |
| Roads and Transport: | No objection. |
| Waste Management: | No report received. |
| Parks and Landscape: | No objection, subject to conditions. |
| Water Pollution: | No report received. |
| Heritage Officer: | Refusal recommended. |
| Waterways Ireland: | No report received. |
| Environmental Health Officer: | No report received. |

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

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| Health and Safety Authority: | No report received. |
| DHLGH: | No report received. |
| Delivery Team: | Comment received |

Relevant Planning History

Subject Site

SD20A/0120

Permission sought for 2 industrial storage buildings to the west of the main complex; Building no. 1 - 460sq.m with a height of 8.8m; Building no. 2 - 244.4sq.m with a height of 7.0m; all associated site works and utility connections. **Grant Permission, subject to conditions.** The proposed development of this Planning Application essentially seeks to amend Building No. 2, increasing the height and gross floor area.

SD13A/0078

Enclosure of portion of an existing 'recycle store', a lean-to structure situated at the rear of the site on the northern elevation adjacent to the existing glass intake area. It is proposed to enclose it with profiled cladding on the eastern and northern elevations to form a new label store area circa 14m x 6.1m wide with a fire escape door situated in new northern elevation; a new single storey 8m x 6m steel structure with cladding on three sides will be constructed opposite this area to form a new recycle store area. **Grant Permission, subject to conditions.**

SD06A/0015

Single storey steel framed metal cladded enclosure around the existing materials intake hardstand Area 3, a new single storey 12m side extension to the east of the materials intake Area 9 and a new fire safety road at the rear (north) of the main building with associated site works. **Grant Permission, subject to conditions.**

SD04A/0886

The development consists of the retention of a single storey store-room of 51.837m.sq. within an existing courtyard area. The store-room is glazed on two sides facing into the courtyard and has access to the outdoor space. The selected aluminium glazing used in the store-room matches the existing glazing used throughout the existing factory and office building. **Grant Retention Permission, subject to conditions.**

S00A/0817

The provision of a new vehicle entrance and roadway with security hut, weighbridge, car parking, truck holding areas and signage. **Grant Permission, subject to conditions.**

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

Section 6.4.4 Car Parking Policy

TM7 Car Parking

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

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

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 9.2.4 Grand Canal Policy
HCL11 Grand Canal Section

9.3.1 Natura 2000 Sites Policy
HCL12 Natura 2000 Sites

Section 9.3.2 Natural Heritage Areas
Policy HCL13 Natural Heritage Areas

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

Section 11.2.1 Design Statements
Section 11.2.4 Regeneration Zone

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

Development in Regeneration zones will be assessed against the relevant criteria within the Urban Design Manual, the Design Manual for Urban Roads and Streets and/or the Retail Design Manual as appropriate. A Design Statement (see Section 11.2.1 Design Statements) accompanying development proposals in Regeneration (REGEN) zones should also address the following criteria:

- *Demonstrate a clear transition towards a more urban form of development and a traditional street network.*
- *Address connectivity and linkages in the area and demonstrate that the development of the site would not give rise to isolated piecemeal pockets of residential development that are disconnected from shops, amenities and/or other residences.*
- *Residential development should not be introduced at ground floor level adjacent to busy roads, and/or roads that are subject to significant movements by Heavy Goods Vehicles (HGVs).*
- *Given the transitional nature of Regeneration zones, precautions will be taken to ensure that the potential for noise pollution, air pollution or other nuisance from established industrial uses will not exceed acceptable environmental standards. The Planning Authority may seek a report from a suitably qualified person to identify and quantify sources of noise pollution, air pollution, or nuisance, assess the potential impacts on the proposed development and provide a series of recommendations to mitigate the impacts of any pollutants insofar as possible (e.g. orientation and layout of dwellings, positioning of openings and insulation).*
- *It may be necessary to consider improvements to the surrounding road and street network in conjunction with the Planning Authority, to calm traffic and improve pedestrian and cyclist access.*

Section 11.2.5 Enterprise and Employment Areas

Section 11.2.7 Building Height

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

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

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

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 relate to:

- Zoning and Council policy,
- CityEdge Project,
- Visual and residential amenity,
- Signage,
- Trees and landscaping,
- Access and Parking, and
- Services and drainage.
- Appropriate Assessment Screening
- Ecology Assessment.

Zoning and Council Policy

The site is located in an area which is zoned '*Regen*', the stated objective for which in the South Dublin County Development Plan 2016-2022 is to '*facilitate enterprise and/ or residential led regeneration*'.

It is noted that Light industry is permitted in principle, Industry general is open for consideration and warehousing is open for consideration.

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

It is considered the proposed industrial storage use which is ancillary to the existing established industrial complex on site is generally acceptable in principle. subject to the masterplan for the Regen zoned lands.

City Edge Project

The subject site falls within the City Edge Project lands, which spans over 700 hectares and includes Dublin City Council's Naas Road LAP lands. The City Edge Project objective is to deliver plan led change in this strategic location, optimising the use of strategically important land proximate the city centre and well served by public transport in line with the objectives of Project Ireland 2040.

The City Edge Project is currently in a public consultation phase which will inform the strategic framework, which is due to be completed by Q4 2021/Q1 2022. It is envisaged that a statutory plan will follow, and it is important that development is not deemed to be premature pending the adoption of such. Having regard to the current stage of the plan-making process, the Planning Authority assesses each application within the boundary of the City Edge Project Area on a case-by-case basis. The verbal report from the Planning Delivery Team in relation to the proposed development of this Application *requested that a cautionary approach be taken at this stage with regards to the structure's relationship to the Camac River, having regard to flooding potential and the proposed Camac flood alleviation scheme.*

Visual & Residential Amenity

The proposed detached industrial storage unit would measure approximately 465.3sq.m. The unit, which will be utilised for the storage of flavourings for the Applicant's production process, would have a maximum height of 8.8m. The unit will be finished with Kingspan Firesafe Composite Panels with rooflights along the eastern and western elevations.

Notwithstanding that the proposed development is seeking to extend a permitted structure (albeit not yet under construction), the proposed location, in close proximity to a water course and a significant stand of trees (which currently and successfully links the Camac River located to the south with the Grand Canal located to the north) would necessitate the removal of a substantial number of trees. The Planning Authority considers that the applicant should seek an alternative location for the proposed structure (in its entirety, both permitted (SD20A/0120) and proposed) elsewhere on the overall landholding and at a location that is less environmentally sensitive.

Signage

No additional signage is proposed.

Trees and Ecology

The Applicant has submitted an Arboricultural Assessment carried out by CMK Horticulture and Arboriculture Limited. The Assessment outlines that the proposed development will result in the

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

removal of 14 No. trees from the subject site. This is a significantly greater arboricultural impact when compared to the previously permitted development (SD20A/0120). The Arboricultural Assessment, states that the loss of trees will not significantly the visual screening of the proposed development from the adjacent public road, however the Planning Authority considers that there will be a negative impact to the ecosystem of the subject site and the proposal would be contrary to policy and objectives within Chapter 8 Green Infrastructure of the County Development Plan:

Policy G2 Green Infrastructure Network - Objectives 1, 2, 3, 5, and 9
Policy G3 Watercourses Network Objectives 1 and 3
Policy G6 New Development in Urban Areas - Objectives 1, 2 and 3.

An Ecology Assessment has been prepared by Dr Niamh Roche, a copy of which has been provided by the Applicant. It is noted that the assessment appears to relate to the previously permitted development (SD20A/0120) and no commentary is provided in relation to the potential ecological impact of the proposed development of this Planning Application, particularly the removal of 14 No. trees. In this regard, the Applicant should be required to provide an updated Ecology Assessment, if it remains the proposal to extend at the proposed location, to include an assessment of the Arboricultural Impact of the proposed development and the potential ecological impact of removing 14 No. trees.

Heritage

A verbal report was received from the Heritage Officer stating that a refusal is recommended having regard to the proposed development resulting in the loss of 14 No. trees which is a significant loss in this sensitive area which forms part of a wider ecological corridor where very little green infrastructure remains.

The Heritage Officer noted that there is clear policy in the Development Plan which encourages the retention of ecological links between urban areas and Natura 2000 sites, proposed Natural Heritage Areas, parks and open spaces and the wider regional Green Infrastructure network. Furthermore, it is a clear objective within the Development Plan to protect and enhance the biodiversity value and ecological function of the green infrastructure network.

The Planning Authority notes the concerns of the Heritage Officer. However, the Planning Authority is not opposed to the proposed development in principle and would like to offer the Applicant the opportunity to explore an alternative and less sensitive location within their overall landholding. This alternative location can be explored by of Additional Information.

Landscape

The Parks and Landscape Section has provided a report in relation to the proposed development, which concludes that there is no objection to the proposed development, subject to conditions relating to tree protection and retention of an Arborist. The Section also has concerns regarding the

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

provision of SUDS and natural solutions to water drainage. These issues should be addressed by way of ADDITIONAL INFORMATION.

Access & Parking

The Roads Section has provided a report in relation to the proposed development which notes:

'It is not intended to increase the number of staff or increase the traffic movements in this proposed development. Therefore, there is no requirement for additional parking at this development'.

The report of the Roads Section concludes that there is no objection to the subject proposal.

Services & Drainage

Irish Water has raised no objections, subject to standard conditions.

A Flood Risk Assessment prepared by Byrne Looby has been submitted with the application and concludes as follows:

A Stage 1 – Flood Risk Identification, Stage 2 – Initial Flood Risk Assessment and a Stage 3 – Detailed Risk Assessment has been undertaken for the proposed Bulk Container Store at Nangor House, New Nangor Road, Dublin 12, as part of site upgrade works.

Information was gathered on flood history by reviewing old OS Maps, internet searches, the OPW flood database, GSI geological and karst data and the SDCC Development Plan. Previous flood studies were also reviewed and current fluvial flood extent maps.

From the information gathered it was shown that the proposed Bulk Container Store is in an area of moderate risk (Flood Zone B) and therefore a Justification Test was required.

It was determined that the proposed development will have a negligible effect on the flood extents on site and would not increase flood risk elsewhere. However, mitigation measures were proposed in order to protect the structure from flood events and to ensure no increase in flows to the existing drainage network.

The Drainage and Water Services Section has no objection to the proposed development, subject to the following conditions:

- Proposed attenuation of 30.8m³ is undersized by 15%. Prior to commencement of development submit a revised drawing showing increased attenuation by 15%. Proposed arched type system shall be a suitable distance (5m) from foundation of building such that the arched type system does not undermine stability of foundation of building.

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

- Prior to commencement of development submit a revised drawing showing what flow control device is proposed and show what discharge rate is proposed. Note that the discharge rate shall be limited to green field runoff rates (Q_{bar} litres/second) or 2 litres/second whichever is greater.
- There is little or no SuDS proposed (Sustainable Drainage Systems). Prior to commencement of development submit a drawing to show what SuDS are proposed. Examples of SuDS include green roofs, blue roofs, permeable paving, filter drains and other such SuDS.
- Proposed attenuation of 30.8m³ is undersized by 15%. Prior to commencement of development submit a revised drawing showing increased attenuation by 15%. Proposed arched type system shall be a suitable distance (5m) from foundation of building such that the arched type system does not undermine stability of foundation of building.
- Prior to commencement of development submit a revised drawing showing what flow control device is proposed and show what discharge rate is proposed. Note that the discharge rate shall be limited to green field runoff rates (Q_{bar} litres/second) or 2 litres/second whichever is greater.
- There is little or no SuDS proposed (Sustainable Drainage Systems). Prior to commencement of development submit a drawing to show what SuDS are proposed. Examples of SuDS include green roofs, blue roofs, permeable paving, filter drains and other such SuDS.
- All floor levels shall be a minimum of 500mm above the highest known flood level for the site.
- 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.

These issues should be addressed by way of ADDITIONAL INFORMATION.

Appropriate Assessment

An AA Screening by Dr Niamh Roche is provided with this Planning Application. However, the screening relates to the previously permitted development (SD20A/0120). Whilst it is acknowledged that the conclusion of the AA Screening Report may not change as result of the

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

modifications proposed in this Planning Application, it is vital that accurate and up to date information is provided to facilitate a full and complete assessment of the proposed development. As such, an accurate and up to date AA Screening Report is required, this can be provided by way of condition.

Ecological Impact Assessment

As previously noted in this Report, the Ecology Assessment Report provided with this Planning Application refers to the previously permitted application (SD20A/0120). As such an accurate and up to date assessment is required to facilitate a complete assessment of the proposed development. This can be provided by way of condition.

Other Considerations

| Development Contributions | |
|--|--------------------------|
| Building Use Type Proposed | Floor Area (sq m) |
| Industrial Storage Building (increase in floor area from 244sq.m to 465.3sq.m) | 465.3sq.m |

| SEA Monitoring Information | |
|--|--------------------------|
| Building Use Type Proposed | Floor Area (sq m) |
| Industrial Storage Building (increase in floor area from 244sq.m to 465.3sq.m) | 465.3sq.m |
| Land Type | Site Area (Ha) |
| Brownfield / Urban Consolidation | 12.28 Ha |

Conclusion

Having regard to the policy set out in the current South Dublin County Development Plan and the scale of the proposed development, it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

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

1. Notwithstanding that there is a permitted structure not yet under construction at the subject site, the proposed location, in close proximity to a water course and a significant stand of trees (which currently and successfully provides biodiversity links to the Camac River located to the south with the Grand Canal located to the north) would necessitate the removal of substantial number of trees and encroach upon the existing Green

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

Infrastructure Network. Furthermore, concerns are raised with regards to the flooding potential of the Camac River, and the proposed Camac flood alleviation scheme. Having regard to the above and the following Policy objectives of the County Development Plan:

Policy G2 Green Infrastructure Network - Objectives 1, 2, 3, 5, and 9

Policy G3 Watercourses Network Objectives 1 and 3

Policy G6 New Development in Urban Areas - Objectives 1, 2 and 3.

The Planning Authority requests that the applicant submit an alternative location for the proposed structure (in its entirety, both permitted (SD20A/0120) and proposed) elsewhere on the overall landholding and at a location that is less environmentally sensitive.

In responding to this item, the Applicant should provide a complete set of plans and particulars for the proposed new location and design of the proposed building(s). The proposal should also be accompanied by a rationale for the chosen location and updated reports and assessments carried out by appropriately qualified Consultants.

2. It is vital that accurate and up to date information is provided to facilitate a full and complete assessment of the proposed development, especially having regard to the location of the site in proximity to the Grand Canal (a pNHA) and the Camac River. As such, the applicant is requested to provide:
 - (a) an accurate and up to date Ecological Assessment and accompanying Bat Survey. The Applicant shall ensure that any mitigation measures recommended in the Ecological Report prepared are implemented in full in the design of the proposed development.
 - (b) an up-to-date Appropriate Assessment Report to accurately reflect the development of this Planning Application. If necessary, a Stage 2 assessment should also be undertaken.
3. The current drainage scheme does not fully comply with the objectives of the development plan in terms of the proper implementation of SUDS. The proposed undergrounding of tanks is not looked upon favourably and may be contrary to County Development Plan policy and objectives (Chapter 7). The applicant is requested to submit revised proposals addressing each of the following points of concern raised by the Planning Authority:
 - (i) Natural SUDS features should be incorporated into the proposed drainage system. Attenuation should be achieved by above ground natural methods rather than by tanks. 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.
 - (ii) The applicant is requested to show SuDS features for the development such as Green roofs, grass areas, tree pits, channel rills, swales, permeable paving, detention basin, wetland and other such SuDS and show what attenuation capacity is provided by such SuDS. SuDS features can be provided within the blue line boundary.
 - (iii) The applicant is requested to demonstrate that the drainage and water design of the proposed development meets the requirements of the Water Services Department. In this

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

regard the following is required:

(a) a revised drawing showing increased attenuation by 15%. Proposed attenuation of 30.8m³ is undersized by 15%. Above ground attenuation should be provided at this location unless the capacity of the site to attenuate water using above ground measures that mimic nature has been assessed and demonstrated not to be achievable at this location.

(b) a revised drawing showing what flow control device is proposed and show what discharge rate is proposed. Note that the discharge rate shall be limited to green field runoff rates (Q_{bar} litres/second) or 2 litres/second whichever is greater.

(c) a drawing demonstrating that all floor levels shall be a minimum of 500mm above the highest known flood level for the site.

4. The Applicant is requested to provide the following:

(i) A landscape plan with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section.

(ii) Full planting details shall be provided within the landscape plans and shall focus on tree planting to mitigate the loss of trees removed as a result of the proposed development, with an overall net gain of trees; as well as the creation of natural SuDS features to manage surface water using the landscape. The emphasis shall be on using native and pollinator friendly species. Planting and features can be provided within the blue line boundary.

Comhairle Chontae Atha Cliath Theas

PR/1582/21

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0281

LOCATION: Nangor House, New Nangor Road, Gallanstown, Co. Dublin, D12 F726

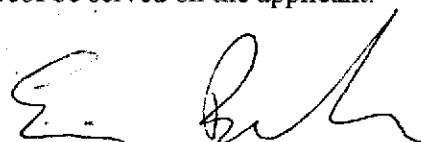


**Tracy McGibbon,
A/Senior Executive Planner**

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:

8/12/21



Eoin Burke, Senior Planner