

Comhairle Chontae Atha Cliath Theas

PR/1642/21

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0240 **Application Date:** 30-Aug-2021
Submission Type: Additional **Registration Date:** 22-Nov-2021
Information

Correspondence Name and Address: Tony Manahan, Manahan Planners 38, Dawson Street, Dublin 2

Proposed Development: Changes of use within parts only of the existing building from storage and production to: (a) use of an area as a marketing suite/showroom (380sq.m ground floor together with an 80sq.m first floor mezzanine extension); (b) automotive academy and training area (925sq.m); (c) construction of additional ancillary office/welfare accommodation (467sq.m) at ground and first floor; (d) two storey briese soleil/sun shade structure to the south elevation; (e) additional windows and glazed screens on all elevations; (f) new single storey hand wash valet structure (146sq.m) on south elevation; (g) new wall mounted signage to west and south elevation; (h) 14 new car parking spaces (previously approved) and 25 new electric car charging points; (i) revisions to existing hard and soft landscaping to accommodate the development; (j) new ramped and stepped access with external terrace to form new entrance area with canopy at existing exit on west elevation; (k) existing 8 metre high water sprinkler tank to be replaced with 11 metre high water sprinkler tank. It is intended that the majority of the premises (6926sq.m) will continue in use for storage and distribution with ancillary office use continuing also.

Location: Units 2007 and 2008, Orchard Avenue, Citywest Business Campus, Dublin 24

Applicant Name: Gowan Distributors Limited

Application Type: Permission

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(CM)

Description of site and surroundings

The site is a large industrial unit in Citywest Business Park. The site has extensive boundary planting and accommodates a large warehouse/office structure, with associated external plant and other units at ground level to the east, and a water tower of approximately the same height as the building. Parking is provided to the south and west of the building. Access is from the west, and a dedicated service route provides direct vehicular access to the building from the east. The main entrance to the site and building is to the west. The site is bounded to the north and west by other light industrial/commercial sites in the Citywest Business Park. To the south and east, it is bounded by newer residential development in Citywest/Fortunestown.

Site Area – 2.22 Ha.

Site Visit: 4/10/2022

Zoning

The site is subject to land-use zoning objective 'EE' – “To provide for enterprise and employment related uses.”

SEA Monitoring

No overlaps indicated with the relevant layers.

Consultations Received

Roads	Requests Additional Information.
HSE Environmental Health Officer	No objection, subject to conditions.
Environmental Services:	
- Surface Water	Requests Additional Information.
- Flood Risk	Requests Additional Information.
Irish Water	No objection, subject to conditions.
Public Realm	No objection, subject to conditions.

Observations/Representations/Submissions

None Received.

Planning History

90A/02340 – Permission **granted** by Dublin County Council for an industrial business park (Phase 1) consisting of 26 no. 1/2 storey units having a floor area of 102 700 metres sq. on 49 hectares approx. incorporating site development works including the demolition of a bungalow on-site foul sewerage to the Grand Canal Sewer PXDM 09 Lkin surface water connecting to existing streams and a grade separated junction with access from the Naas Road.

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90A/02340/EP – Above permission extended in 1996.

S00A/0268 – Permission **granted** by SDCC for 2 facilities, to be constructed in 2 phases, consisting of a single storey production/warehouse building with 2 storey ancillary offices attached, and a terrace of 5 no. single storey production/warehouse units with 2 storey ancillary offices attached, with an overall floor area of 5,687sq.m. The development which will include all associated site works, car parking, delivery yards and site services on a site of c.3 acres, with access from the main distributor road off the Naas Road via the new grade separated junction. The Site forms part of a previous overall permission, Reg. Ref. 90A/2340.

S01/0001 – Permission granted by SDCC for amendments to existing planning permission (Reg. Ref. No. S00A/0268) for alterations and extensions to previously approved industrial facility, unit 2007, consisting of a single storey production/warehouse building with two storey ancillary offices attached, with an overall gross floor area of 5,090sq.m. The amended building shall be attached to, and interconnect with adjoining unit 2008 (Reg. Ref. No. S97A/0594). The development, which will include all associated site works, car parking, delivery yards and site services on a site of circa 3 acres. The site forms part of the previous overall permission, Reg. Ref. No. 90A/2340.

SD03A/0534 – Permission granted by SDCC for construction of 2 no. car parks on grade, each of area 262m.sq. and with 14 car spaces and are to be located off existing private circulation road which serves the factory.

Note: Only 1 car park of 14 spaces built under this permission.

Planning Enforcement

None.

Pre-Planning Consultation

None recorded or indicated on the application form.

Relevant Policy in the South Dublin County Development Plan 2016 – 2022

Chapter 4 Economic Development and Tourism

Policy ET1 Overarching

Policy ET3 Enterprise and Employment

Section 11.1.1 Land Uses

Section 11.1.1 (iv) Transitional Areas

Section 11.2.3 Environmental Hazard Management

Section 11.2.3 (ii) Noise

Section 11.4.1 Bicycle Parking Facilities

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Section 11.4.2 Car Parking Standards
Section 11.8.2 Appropriate Assessment

Schedule 6: Outdoor Advertising Strategy (relates to signage)

Relevant Government Policy

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Regional, Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, 2019.

The Planning System and Flood Risk Management Guidelines for Planning Authorities
Department of the Environment, Heritage and Local Government and OPW (November 2009).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, 2009.

Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Visual Impact
- Employment Uses
- Access, Transport and Parking
- Public Realm
- Water Services
- Environmental Health
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning and Council Policy

The site is subject to land-use zoning objective 'EE' – "To provide for enterprise and employment related uses." The proposed uses "Warehouse", "Industry-Light" and "Office-Based Industry". It is considered in this instance that the office use proposed fits into the definition of 'office-based industry'.

Transitional Area

The site is located in a transitional area, with residential development located to the south and east. The assessment of the development should therefore ensure consider the use, scale and density of development and its potential impact on adjoining residential amenity.

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Education Use

The 'Education' use is not permitted under the 'EE' zoning. The 'academy' section of the building, being 925sq.m or 9% of the total floor area, could be considered large enough to be considered in its own regard.

The applicant's agent has provided a description of the academy use on page 9 of their Planning Statement. This details that the academy will take in part of the warehouse floor, incorporating a number of vehicular hydraulic ramps/vehicle servicing areas. Technical staff from the distribution network are stated to be the proposed users of the facility, rather than offering public courses.

The above description is considered to be a facility that is ancillary to the overall light-industrial and office-based industry use on the site. To ensure that a general educational facility for the use of the public is not provided at this inappropriate location, a **condition of permission** can specify the same.

Visual Impact

The proposed development includes a number of elevational changes, as well as the addition of a car preparation area (a single storey structure on south side of building), and a sun shade at first floor level (on southern elevation). The water tower to the east of the building is proposed to increase in height to 11 metres.

The proposed changes to elevations, and the increase in height of the associated water tower, are considered to be acceptable. Though the water tower increase is equivalent to one storey of development and is in proximity with residential development, the diameter of the water tower, being only 8 metres, is slender enough to rule out any detrimental visual impacts from a distance of 13 metres from the site boundary.

Signage

The proposed signage would not be illuminated and would be in proportion with the overall scale of the building and would relate to its use. This is considered acceptable in the context of a business park and complies with Schedule 6 of the South Dublin County Development Plan 2016 - 2022.

Employment Uses

The proposed mix of uses on-site is unclear from the application documents. The applicant states that 225 staff are envisaged to use the site. As stated above the uses proposed are permissible in principle with the exception of education. It is considered however that the proposed academy is ancillary to the main use and forms a part of that use.

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The uses described in the Planning Statement relate to additional and more intensive use of the site as a Storage and Distribution Centre for motor car parts, for multiple international car brands. This is a suitable location for such uses as per Policy ET3 Objective 4 (related to light industry and logistics).

The applicant has not provided a clear schedule of accommodation for either the existing or the proposed development. It appears from their Planning Statement that the existing uses are as follows:

Existing:

Warehouse	8,332sq.m.	82.3%
Offices	1,792	17.7%

Proposed:

Warehouse	6,925sq.m.	64.6%	- 1,407
Offices	2,259	21.1%	+ 467
Valet	146	1.4%	New
Training	925	8.6%	New
Marketing	460	4.3%	New

The application form, however, states that the existing floor area is 9,225sq.m, and that works will cover an area of 1,355sq.m, suggesting the above figure to be overestimates. Taking into account the additional floor area at first floor level and the ground floor extension ;shown in plans and notices (591sq.m), this suggests a change of use for 764sq.m of existing warehouse/office space.

The applicant should provide a breakdown of the proposed uses and a schedule of accommodation broken down by use, to include all uses within the building post-development, as **additional information**.

Access, Transport and Parking

The Roads Department has submitted a report, which requests additional information. This report covers the issues of bicycle parking, accessible car parking, and electric vehicular charging points.

Parking

Records show there to be 115 parking spaces on the site. The proposed increase of 14 would bring that figure to 129, with 3 accessible spaces indicated on the site plans (there are two indicated on aerial photography). As per the Planning Report submitted by the applicant's agent, the breakdown of uses on the site would appear to be thus following permission:

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Warehousing	6,295sq.m
Office Based Industry	2,295sq.m
Other Uses (Marketing, Valet, Academy)	1,226sq.m
Total GFA	9,816sq.m

There is a lack of certainty regarding these figures however as the applicant has not provided a breakdown. Assessing these at CDP rates of 1 per 100 for warehousing, and 1 per 50m² for office and office-based industry, the maximum figure reached is 121, of which 6 (5%) should be accessible.

The applicant has not proposed any bicycle parking in their notices; however, a cover over a bicycle parking area appears on the southern side of the building in plans and elevations.

It is a requirement of the County Development Plan to provide a certain level of bicycle parking; the required minimum for a development of this size is 49.

The applicant should provide a breakdown of current and proposed car parking and bicycle parking. The applicant should also provide a breakdown of the use types within the building as per table 11.23 of the County Development Plan. The final provision of car parking should be limited by the maximum figures found in Table 11.23 of the County Development Plan. The final provision of bicycle parking should be as per the minimum figures found in table 11.22 of the County Development Plan. Bicycle Parking should be located, secured and covered as appropriate per the separate definitions of 'long-stay' and 'short-stay' parking in section 11.4.1 of the County Development Plan.

Public Realm

The Public Realm Department has noted with concern the proposal to remove 44 no. trees without details of mitigation measures for the replacement of these trees elsewhere. The report seeks to effect mitigation measures by **condition**, as follows:

3. Tree mitigation and management plan

No development or other operations shall commence on site in connection with the proposed development until the applicant has submitted a Landscape Mitigation and Management Plan which clearly sets what tree replacement/mitigation measures are to be put in place to compensate for the proposed tree removals.

REASON: To ensure the continued wellbeing of the protected species and habitats and in the interests of the amenity and environmental quality of the locality in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

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It is proposed to remove 44 trees as follows:

- 13 trees to be removed for proposed new car park (14 spaces), to west of the site. This includes a variety of juvenile and more mature trees.
- 31 trees to be removed in order to provide for the 'valet' facility single-storey extension. This includes a variety of juvenile and more mature trees.

The applicant states that 471 trees will remain on-site following development, and that the 'verdant' character of the site will not be infringed upon. This is considered to have merit, nonetheless the loss of 9% of the trees on site should be mitigated.

It is considered that, as there are other issues with the development, a mitigation plan should be submitted as **additional information**. Mitigation for tree loss could be achieved with natural SUDs measures such as bioswales. The applicant should be encouraged to consult with the SDCC Public Realm section.

Water Services

In relation to surface water and flooding, the Environmental Services Department has sought additional information, as follows:

Surface Water

1.1 There is no surface water attenuation calculations submitted for proposed development. Submit a report showing surface water attenuation calculations for the proposed new development. If the development will share an existing attenuation system then also show the surface water attenuation calculations for the existing and proposed development. The calculations shall include, SAAR value, Qbar, Soil factor, areas of buildings, roads, pathways permeable paving and green areas in m² and their respective run off coefficients. Include the area of site in Hectares.

Contact water services prior to submission of surface water attenuation calculations to discuss same. Show on drawing where the Northing direction is.

1.2 Submit a report and drawing to examine what SuDS (Sustainable Drainage System) are proposed. Surface water attenuation shall be carried out using SuDS such as green areas, green roof, permeable paving, filter drains tree pits, grasscrete and other such SuDS. Only where SuDS are insufficient to attenuate surface water shall alternate surface water attenuation system be used.

1.3 Prior to submission of attenuation calculations and a revised drawing contact water services to discuss existing and proposed surface water attenuation system for site.

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Flood Risk:

2. 1 Submit a report showing the flood risk if any to proposed development. Submit a drawing showing where proposed development is relative to where flood risk is as showing in CFRAM OPW flood risk maps.

If the development is located in a flood risk area outline what mitigation measures are proposed to reduce the flood risk of proposed development.

The above is reasonable insofar as it refers to the new build element of the development. In relation to SUDs, natural SUDs features may mitigate the loss of trees on the site. The above can be included in a request for **additional information**.

Irish Water has stated no objection, subject to connection agreements. This can be **conditioned**.

Environmental Health

The HSE Environmental Health Officer has stated no objection, subject to standard conditions relating to noise and air quality.

Screening for Environmental Impact Assessment

Having regard to the modest 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.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for 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.

Conclusion

The proposed development is acceptable in principle. However, in relation to parking, drainage and mitigation for loss of trees, there is a need for additional information. The applicant should also provide an accurate schedule of accommodation breaking the building down into the proposed uses.

Recommendation

Request Further Information.

Further Information

Further Information was requested on 26th October 2021 and received on 22nd November 2021.

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Further Consultations

Roads	Recommends Conditions.
Water Services	No objection, subject to conditions.
Public Realm	Not received.

Further Submissions/Observations/Representations

None.

Assessment of Additional Information

Item 1

The applicant is requested to provide a breakdown of current and proposed car parking and bicycle parking. The applicant is also requested to provide a breakdown of the use types within the building as per table 11.23 of the County Development Plan. The final provision of car parking should be limited by the maximum figures found in Table 11.23 of the County Development Plan. The final provision of bicycle parking should be as per the minimum figures found in table 11.22 of the County Development Plan. Bicycle Parking should be located, secured and covered as appropriate per the separate definitions of 'long-stay' and 'short-stay' parking in section 11.4.1 of the County Development Plan.

Response

The applicant has submitted an argument for the provision of 128 car parking spaces. 50 bicycle parking spaces are proposed to be provided. The applicant acknowledges that this is higher than the maximum standards in the County Development Plan, but seeks flexibility on the basis that the development is for automobile-based industry.

Assessment

The Roads Department has recommended a maximum of 118 car parking spaces as per the County Development Plan maximum standards. As far as can be ascertained from the submitted documentation, the proposed use does not include the storage of cars outdoors on the site, either temporarily or for display purposes. It is therefore considered appropriate to apply the maximum standards in the Plan and limit the parking to 118 car parking spaces.

The other recommended conditions from the Roads Department relate to mobility management, construction and demolition waste management, charging of electric vehicles, public realm lighting, and covering of bicycle spaces. This is appropriate, however it is noted that a higher proportion of spaces are proposed for electric vehicle charging than would usually be required as a minimum by the Planning Authority, so the proposed condition need not be applied.

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Item 2

The applicant is requested to a Landscape Mitigation and Management Plan which clearly sets what tree replacement/mitigation measures are to be put in place to compensate for the proposed tree removals. It is recommended to consult with the SDCC Public Realm section.

Response

The applicant has provided a Landscape Mitigation and Management Plan and has proposed the following measures:

- A native hedgerow is proposed to the rear of the site and approx. 100 bare root native Irish hedgerow species is to be planted there.
- 8no. 16-18cm specimen trees to be planted on site.
- 9no 8-10cm girth trees to be planted to improve the rear boundary hedgerow to the east of the site.
- 14no. 8-10cm girth trees shall be planted in the bioretention areas in tandem with the SUDS plan.
- A selection of bulbs shall be planted where grass reinstatement is required.

Assessment

The above proposals are acceptable. Standard conditions in relation to implementation should be attached to any grant of permission, and the applicant should agree final specifications with the Public Realm Department in compliance.

Item 3

(a) The application particulars contain no surface water attenuation calculations. The applicant is requested to submit a report showing surface water attenuation calculations for the proposed new-build element of the development. If the development will share an existing attenuation system, the applicant is requested to then also show the surface water attenuation calculations for the existing and proposed development. The calculations shall include, SAAR value, Qbar, Soil factor, areas of buildings, roads, pathways permeable paving and green areas in m² and their respective run off coefficients. Include the area of site in Hectares.

(b) The applicant is requested to submit a report and drawing to examine what SuDS (Sustainable Drainage System) are proposed. Surface water attenuation shall be carried out using SuDS such as green areas, green roof, permeable paving, filter drains tree pits, grasscrete,

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bioswales and other such SuDS. Only where SuDS are insufficient to attenuate surface water shall alternate surface water attenuation system be used.

It is recommended to contact Water Services to discuss existing and proposed surface water attenuation system for site.

Response

The applicant has provided attenuation calculations and has proposed the use of bioretention areas and reinforced grass finishes to the car parking spaces, to aid infiltration into the ground.

Assessment

The Environmental Services Department has stated no objection subject to standard conditions. This is acceptable.

Item 4

The applicant is requested to provide a detailed schedule of accommodation, showing the breakdown of existing uses and proposed uses.

Response

The applicant has not provided a formal schedule of accommodation but has described the development in more detail. The development consists, in basic terms, of the following (measured in sqm):

	Existing	Proposed
Warehouse GF	8332	7687
Offices Upper Floor	893	893
New office Upper Floor		467
COU to Office GF		645
Total	9225	9692

Assessment

The information submitted is acceptable.

Screening for Environmental Impact Assessment

Having regard to the modest 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

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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.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for 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.

Other Considerations

Bonds & Contributions

Commercial Development:

New Floor Area: 1,360sq.m

Change of Use Warehouse to Office: 645sq.m

Total Assessable Area: 2,005sq.m

SEA Monitoring

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Commercial	2,005sq.m
Light Industrial	645sq.m
Land Type	Site Area (Ha.)
Greenfield	2.348 ha.

Conclusion

The applicant has answered the FI request satisfactorily. The development will, subject to the conditions attached hereto, accord with 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.

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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 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 22nd 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. Amendments.
Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:
Revised plans that show no more than 118 car parking spaces to serve the development.
REASON: To promote sustainable transport, comply with maximum standards of the County Development Plan and in the interests of the proper planning and sustainable development of the area.
3. Education and Training.
The automotive academy and training area permitted as part of this development shall be ancillary to the overall light industrial / office-based industrial use on the site, and linked to that activity.
REASON: To clarify the permitted use.
4. Tree Retention.
No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased with five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

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REASON: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

5. Tree Mitigation and Management.

Prior to commencement of development, the applicant shall obtain the written agreement of the SDCC Public Realm Department to the Tree Mitigation and Management Plan.

REASON: To ensure the continued wellbeing of the protected species and habitats and in the interests of the amenity and environmental quality of the locality in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

6. Implementation of Tree Protection during development

(i) All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works.

(ii) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(iii) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

(iv) No development or other operations shall take place except in complete accordance with the approved protection scheme and Arboricultural Method Statement.

REASON: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

7. 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.

8. 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

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development of the area and in order to ensure adequate water supply and drainage provision.

9. Roads.

(a) 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.

(b) 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.

(c) All bicycle parking spaces shall be covered.

REASON: To protect local amenities, prevent traffic hazard and to maintain council standards in relation to parking rates and fixtures and pedestrian permeability.

10. Public Realm Lighting.

Prior to commencement of the development proposed Public Lighting Design for the development shall be agreed with the Planning Authority. The proposal shall integrate with the Tree Mitigation and Management Plan and agreement is required from both the Public Lighting and Public Realm sections.

Reason: To ensure adequate public realm lighting which integrates with environmental measures.

11. 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 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:

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- 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.

12. 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.

13. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €182,675.55 (one hundred and eighty two thousand six hundred and seventy five euros and fifty five 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.

Comhairle Chontae Atha Cliath Theas

PR/1642/21

Record of Executive Business and Chief Executive's Order

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.

Comhairle Chontae Atha Cliath Theas

PR/1642/21

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0240

**LOCATION: Units 2007 and 2008, Orchard Avenue, Citywest Business Campus, Dublin
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jjohnston

**Jim Johnston,
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: 17/12/21



Eoin Burke, Senior Planner