

Planning Department
South Dublin County Council
County Hall
Town Centre
Tallaght
Dublin 24



12th January 2022

RE: Application for planning permission for the permanent continuation of use of the following existing buildings and structures; a prefabricated office (16.0m x 3.8m x 3.0m high); prefabricated canteen facilities (14.0m x 3.8m x 3.0m high); water holding tank (29.7m x 6.3m); 4 no aggregate ground storage bays; power house (15.9m x 4.0m x 3.6m high); and weighbridge, all previously permitted for a five year period under Pl.Ref.SD17A/0218, Adamstown, Lucan, County Dublin.

Dear Sir/Madam,

Kilsaran Concrete Unlimited Company intends to apply for planning permission for existing development at Adamstown, Lucan, County Dublin. The purpose of the application is to seek permission for the permanent continuation of use of the following existing buildings and structures at the Adamstown site, a prefabricated office; prefabricated canteen facilities; water holding tank; 4 no aggregate ground storage bays; power house; and weighbridge. The subject buildings and structures were on the 9th October 2017 granted planning permission for a temporary period of 5 years by South Dublin County Council. The permission period is due to expire on the 17th January 2023.

The following sections of this letter are intended to assist with the assessment of the application by providing a summary of the development and summarises the various issues arising from the proposal whilst also providing a depth of technical detail to supplement the Appropriate Assessment Screening Report and technical drawings accompanying the application.

1.0 Site Location and Description

The application site is located on the western side of the R120 Newcastle/Lucan Road at Adamstown, comprising of the existing concrete manufacturing facility with associated structures and buildings. The site is positioned on a narrow corridor of land between the Dublin/Cork rail line and the Grand Canal. The Lucretia Tiles site bounds the site immediately to the north with the Adamstown industrial estate abutting to the south. Open agricultural lands are to the west. The wider area is characterised by a number of different land uses. The expansive Grange Castle Business Park is to the south east, the Adamstown SDZ and Clonburriss SDZ are to the north and east respectively. Access to the site is gained via shared vehicular entrance off the R120. The site is set back from the public road by c. 65 metres. The nearest residential dwelling, is located c.145 metres to the north of the site.

ideas taking shape

Piercetown, Dunboyne, Co. Meath, Ireland, A86 W82D.
T: +353 (0)1 802 6300 E: info@kilsaran.ie W: www.kilsaran.ie

Directors: E.D. McKeown (Chairman), David P. McKeown (Co-CEO), Derry P. McKeown (Co-CEO), R. McKeown, T.F. McCarthy, M.J. Curran, P. Hogan, S. Keohane

Registered as: Kilsaran Concrete Unlimited Company

Registered at: Piercetown, Dunboyne, Co. Meath, Ireland Reg No: 23927 VAT No: IE BZ02417D



Fig 1.0 - Location of site outlined in red (Source: myplan.ie)

2.0 Details of Development

Permission is being sought for the permanent continuation of use of the following existing buildings and structures -

- a prefabricated office (16.0m x 3.8m x 3.0m high);
- prefabricated canteen facilities (14.0m x 3.8m x 3.0m high);
- water holding tank (29.7m x 6.3m);
- 4 no aggregate ground storage bays;
- power house (15.9m x 4.0m x 3.6m high);
- weighbridge

3.0 Rational for Continuation of Development

The extant permission granted under file ref number SD17A/0218 is currently due to expire on the 17th January 2023, unless permission for the continuance of the use beyond that date is granted. The applicant is keen to maintain the subject buildings and structures on a permanent basis which provide associated ancillary services to the existing permitted concrete manufacturing plant. The application site has been supplying concrete to the West Dublin market for more than 50 years since its establishment in 1970 under previous owners. The concrete manufacturing facility of which the subject buildings and structures form an intrinsic part, is optimally located to serve the West Dublin market including areas within the M50 where current demand for concrete is high due to the ongoing commercial, infrastructural and housing developments taking place. From both an economic and environmental perspective it makes sense to maintain a site in close proximity to the point of use.

The requirement for increased housing delivery and the future growth of Dublin as a global city of scale as supported in the National Planning Framework (NPF) 2018, in addition the strategic growth nodes of the Clonburris Strategic Development Zone (SDZ) and Adamstown SDZ being proximate to the application site will ensure demand for the facility and the valued added products produced will be maintained for the foreseeable future. The following policy is included in the South Dublin County Development Plan 2016 -2022 (hereinafter Current Development Plan) that supports the future development of the neighbouring SDZs.

"CS2 Objective 1: To promote and facilitate urban expansion on designated Strategic Development Zone sites at Adamstown and Clonburris, in tandem with the delivery of high capacity public transport services and subject to an approved Planning Scheme".

The ambitious regeneration plan known as City Edge proposed jointly by South Dublin County Council and Dublin City Council and the long term expansion of the Grange Castle Economic and Enterprise Zone are also within easy reach of the application site. Given the locational and environmental advantages of the application site being in close proximity to its target market, the permanent continued use of the existing buildings and structures can be considered to be in accordance with the proper planning and sustainable development of the area.

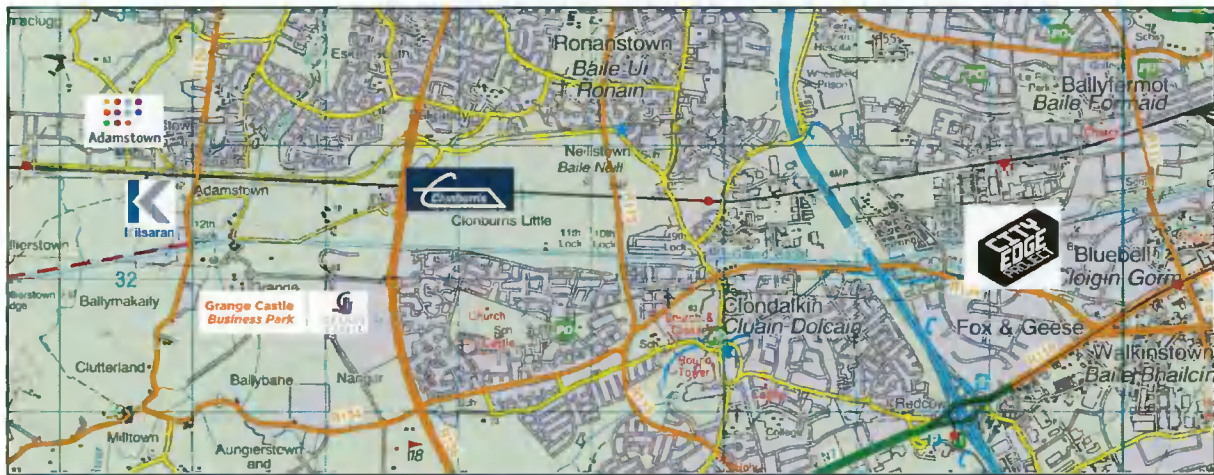


Fig 2.0 - Location of site proximate to large scale residential/employment zones (Source Myplan.ie)

4.0 Visual Impact

The tallest of the subject structures/buildings on the application site is the power house which measures 3.6m high located in the south western corner. The prefabricated office and canteen buildings are both 3m high with the other structures below 1.5m in height. The perimeter of application site has been landscaped with screening mounds and trees in accordance with condition no 2 of planning grant of permission under reference number S01A/0652 & PL06S.128709.



Fig 3.0 View of application site from the R120 Newcastle – Lucan Road

Given the quantum and maturity of the natural vegetation planted, the subject buildings and structures and their low profile nature are well screened from the surrounding area and are not visible from the majority of viewpoints within the public domain. Consequently the proposed continuation of these structures and buildings on a permanent basis will not negatively impact upon the visual amenities of the area.

5.0 Planning History of Subject Site

The planning history relating to application site is set out below.

S01/A/0652/ PL06S.128709

On the 23rd January 2002, South Dublin County Council granted planning permission to the applicant for the *"Implementation of landscaping scheme, 7 ground storage aggregate bays and the Retention of two prefabricated buildings for use as offices and canteen, a water holding tank, a powerhouse, a weighbridge and perimeter landscape berms"*. The decision was appealed by a 3rd party to An Bord Pleanala. The board granted permission subject to 8 conditions. Condition no 1 restricted the duration was the permission period expiry 31st day of December, 2007

SD07A/0385

Planning permission was granted by South Dublin County Council on the 28th August 2007 to the applicant for *"a prefabricated office; prefabricated canteen facilities; a water holding tank; 4 aggregate ground storage bays; a power house; and a weighbridge"*. Condition no 2 restricted the use of the site to a period of 5 years.

SD12A/0121

Planning permission was granted in 2012 for the continuation of use of the following buildings and structures: *a prefabricated office (16.0m x 3.8m x 3.0m high); prefabricated canteen facilities (14.0m x 3.8m x 3.0m high); a water holding tank (29.7m x 6.3m); 4 aggregate ground storage bays; a power house (15.9m x 4.0m x 3.6m high); a weighbridge*. Condition no 2 restricted the duration of the permission to a temporary period of 5 years.

SD17A/0218

Of most relevance the extant planning permission was granted in 2017 to the applicant for continuation of use of the same buildings and structures as permitted under the 2012 application. A total of 8 no conditions were applied with condition no 2 restricting the use of the site for a limited period of 5 years.

6.0 Planning History Summary

In reviewing the planning history for the application site, it is clear that both the South Dublin County Council and An Bord Pleanala have found that the subject structures and buildings are generally acceptable in this locality given the pattern of development in the immediate environs and its industrial/commercial nature. The applicant believes the repeated duration limited permissions imposed on the application site are not warranted or consistent. The applicant respectfully request, for the reasons outlined below that the subject structures and buildings of which their scale and function has remained the same as approved in 2002 under the parent permission has not negatively impacted upon the amenities of the area or property in the vicinity. Therefore the proposal if granted permission on a permanent basis would be in accordance with the proper planning and sustainable development of the area.

In granting the parent permission (Ref S01/A/0652 & PL06S.128709) in 2002, it is noted that neither the planner nor the An Bord Pleanála inspector raised any issues in relation to the retention of the subject structures and buildings. A temporary permission of 5 years was only imposed following a recommendation from the Roads Department of South Dublin County Council. This related to the application site being in close proximity to the M7 motorway reservation line. A temporary permission was to allow for the design of the motorway route and an assessment as to whether the application site would impact upon the chosen route. The preferred M7 route corridor was identified and has been constructed to the south and south east of application site c. 4.5km at its closest point.

Under application ref no SD07A/0385 a 5 year period was conditioned by the South Dublin County Council as it was considered the application site may have an impact of the future upgrade of the Dublin-Cork railway to the north. The application site is set back in excess of c. 80 metres from the railway line and is separated from it by the intervening Lucretia Tile site. It is noted that the railway line has been progressively upgraded from the late 2000s onward, with the number of track lines increasing from 2 to 4 between the Cherry Orchard & Hazelhatch stations in 2011. The location of application site did not affect the upgrading works. The recently published Draft Greater Dublin Area Transport Strategy 2022-2042 and Current Development Plan 2016-2022 do not contain any proposed infrastructural works or objectives that require the further widening of the railway corridor along the Cherry Orchard & Hazelhatch section.

The permission granted in 2012 under ref no SD12A/0121 included a time-limited period of 5 years. The imposition of the temporary duration was included by the Planner in relation to her assessment with regard to Objective SLO 37 of the County Development Plan 2010-2016. Objective SLO 37 required the preparation of a masterplan for the area around the 12th Lock and to *“facilitate the down-scaling of uncomplimentary extractive, heavy-industrial and distribution uses on adjoining lands which contribute to significant and undesirable HGV usage of the R120/Newcastle Road”*.

In considering the application, the planner deemed the subject development *“would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience”*. The limited period was included to ensure that any future development of the area would not be prejudiced i.e. the implementation of the 12th Lock masterplan. It is noted the objective to prepare a masterplan for the 12th Lock area has not been carried forward into the current Development Plan. The following policies outlined below are included in the current Plan and relate to the 12th Lock;

HCL11 Objective 6: To enhance the industrial heritage and the recreational and amenity potential of the 12th Lock and pursue the protection and conservation of the rich natural, built and cultural heritage of the area including natural habitats and ecological resources along the Grand Canal and Griffeen River.

HCL11 Objective 7: “To extension of the Grand Canal Way Green Route from the 12th Lock to Hazelhatch in partnership with Waterways Ireland and Kildare County Council”.

The application site has a separation distance in excess of c. 280 metres and is not visible from the Grand Canal or the 12th Lock due to the existing built environment. It is also located outside of the area designated as the Grand Canal Proposed Natural Heritage Area (pNHA). Taking in account the separation distance, intervening land uses and mature landscaping along the southern application site boundary. The proposed permanent continuation of the subject structures/buildings given their nature, scale and low profile will not have any detrimental impact on the natural, built or cultural

heritage of the 12th Lock or Grand Canal. Nor will it have any impact upon the implementation of the Plans objective to extend the Grand Canal Way Green Route. It is noted that the application site does not impinge upon any of the new Grand Canal related Policy objectives (NCBH9) included within the draft County Development Plan 2022-2028.

The extant permission granted in 2017 prescribed that the duration of the permission period is limited to 5 years as set by condition no 2. No planning justification or policy rationale was included in the planners report in recommending this undue restriction.

7.0 Planning Policy Context

The South Dublin County Development Plan 2016 – 2022 is the operative statutory plan for the area and will guide Council policy relating to the application site. We note that the draft South Dublin County Plan 2022-2028 is currently in stage two of preparation. The application site is currently zoned “objective RU- Rural & Agriculture” in the Plan which seeks to “Protect and improve rural amenity and to provide for the development of agriculture”.

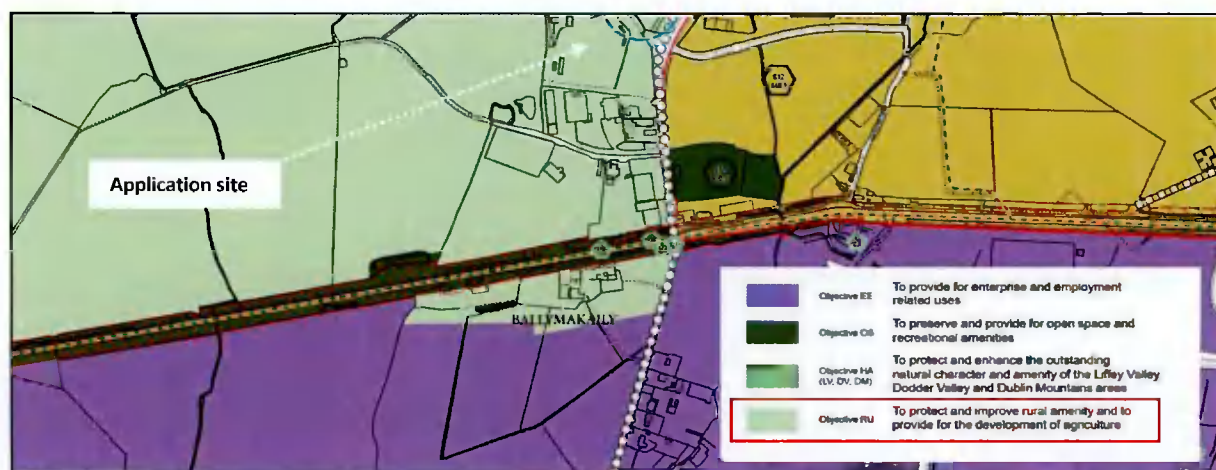


Figure 4.0 Land Use Zoning Map (Source - Sdublincoco.ie)

Table 11.16 below extracted from the current Development Plan outlines what uses classes related to the zoning objective are permitted, open for consideration and not permitted.

Table 11.16: Zoning Objective 'RU': 'To protect and improve rural amenity and to provide for the development of agriculture'

USE CLASSES RELATED TO ZONING OBJECTIVE	
Permitted in Principle	Aerodrome/Airfield, Agriculture, Allotments, Cemetery, Concrete/Asphalt Plant in or adjacent to a Quarry, Home Based Economic Activities ^a , Industry-Extractive, Open Space, Public Services, Rural Industry-Food.
Open for Consideration	Abattoir, Bed & Breakfast ^a , Boarding Kennels, Camp Site ^b , Car Park ^b , Childcare Facilities ^b , Community Centre, Crematorium, Cultural Use ^a , Doctor/Dentist ^a , Education, Embassy ^a , Enterprise Centre ^b , Fuel Depot ^b , Funeral Home ^b , Garden Centre, Guest House ^a , Health Centre ^b , Heavy Vehicle Park, Hotel/Hostel, Offices less than 100 sq.m, Petrol Station ^b , Place of Worship ^b , Primary Health Care Centre ^b , Public House ^b , Recreational-Facility, Recycling Facility ^a , Refuse Landfill/Tip, Residential ^a , Restaurant/Cafe, Service Garage ^b , Shop-Local ^b , Social Club, Sports Club/Facility, Stadium, Traveller Accommodation, Veterinary Surgery.
Not Permitted	Advertisements and Advertising Structures, Betting Office, Caravan Park-Residential, Conference Centre, Hospital, Housing for Older People, Industry-General, Industry-Light, Industry-Special, Live-Work Units, Motor Sales Outlet, Nightclub, Nursing Home, Office-Based Industry, Offices 100sq.m-1,000 sq.m, Offices over 1,000 sq.m, Off-Licence, Outdoor Entertainment Park, Refuse Transfer Station, Residential Institution, Retail Warehouse, Retirement Home, Science and Technology Based Enterprise, Scrap Yard, Shop-Major Sales Outlet, Shop-Neighbourhood, Transport Depot, Warehousing, Wholesale Outlet, Wind Farm.

It is noted “offices less than 100m² are deemed open for consideration. The other subject buildings and structures do not fall under any of the uses classes as listed in the above table. The Development Plan states that in this scenario “Uses that have not been listed under the land use zoning tables will be considered on a case-by-case basis in relation to conformity with the relevant policies, objectives and standards contained within the Plan, particularly in relation to the zoning objective of the subject site and its impact on the development of the County at a strategic and local level”.

The Planner in their assessment of the previous application (SD17A/0218) stated the following in relation to Zoning and Council Policy;

“The site is located in an area which is zoned “RU – To protect and improve rural amenity and to provide for the development of agriculture” under the South Dublin County Development Plan 2016-2022. The continuation of use of previously permitted structures on site is generally considered to acceptable having regard to visual and residential amenity”.

Giving the nature and scale of the subject buildings/structures and long planning history associated with the application site and its established use. The applicant would contend as per the above planners assessment that the proposal does not conflict with the primary zoning objective of the area nor would it be detrimental to the visual and residential amenities of the surrounding area. It is noted that the land use zoning objective of the application site remains unchanged in the draft Development Plan 2022-2028.

The Adamstown South Road (R120) is listed as a medium to long term road objective to “provide access between the Adamstown SDZ lands and Grange Castle Employment Area” in the current Development Plan. However in the new draft Development Plan 2022 – 2028 this section of roadway has not been included for upgrading.

8.0 Archaeology

The north east section of the application site is located within the constraint for the Recorded Monument (DU017-029) – Adamstown Castle. Given the proposal relates to the continuation of use for development already in situ and no ground disturbance/excavation works are involved. Any potential archaeological remains will not be disturbed by the proposal.

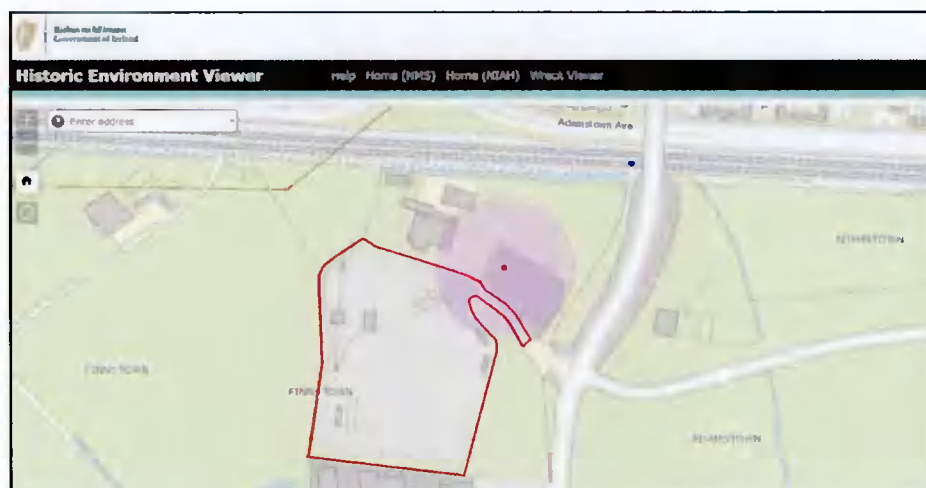


Figure 5.0 Constraint for the Recorded Monument (DU017-029) (Source archaeology.ie)

9.0 Water Management / Flooding

The application site employs a closed circuit water management system where it has been designed to ensure that all incidental rainfall and surface water run-off is directed to concrete-lined water recycler tanks. The water captured is recycled and re-used in the concrete production process. There is no surface water discharges off-site. This system provides a sustainable way of dealing with runoff water with positive consequent economic and environmental impacts. Water supply for the site will continue be obtained from an on-site well and is fed to the site office, canteen and toilets. All wastewater from the existing welfare facilities is treated by an existing septic tank. No Irish Water infrastructure is utilised by the existing development.

The application site is not located within an area identified as being vulnerable to flooding as indicated by floodinfo.ie.

10.0 EIA Screening Assessment

The requirement to undertake EIA derives from European Communities Directive 85/337/EEC (as amended by Directives 97/11/EC, 2003/35/EC) and from Directive 2011/92/EU (as amended by Directive 2014/52/EU, referred to as the Amended EIA Directive). The amended EIA Directive introduced changes to the manner in which environmental impact assessment is completed. In determining the requirement for EIA, the Directive 2014/52/EU differentiates between projects that always require EIA and those for which an EIA may be required. These projects are listed in Annex I and Annex II of the Directive.

The form of development and the processes included in this application is not a type of project identified in either Annex I or Annex II of the EIA Directive or Part 1 or Part 2 of Schedule 5 of the Planning & Development Regulations 2001 (As amended) as requiring EIA.

Having regard to the criteria set out under Annex III of the EIA Directive the application site is not considered to trigger the requirement for "sub-threshold" EIA having regard to the characteristics of the existing development and the likelihood of significant effects on the environment. It is considered, therefore that neither an environmental impact assessment (EIA) screening nor an EIA/EIAR is required in respect of the proposal.

11.0 Appropriate Assessment – Stage 1 Screening

A Stage 1 Appropriate Assessment (AA) Screening Report has been prepared and is enclosed with the application as a separate document in Appendix A. The AA screening concludes by stating the following;

"The Proposed Development at the Lucan Concrete Plant, Adamstown, Co. Dublin has been assessed taking into account:

- *the nature, size and location of the proposed works and possible impacts arising from the construction works.*
- *the qualifying interests and conservation objectives of the European Sites.*
- *the potential for in-combination effects arising from other plans and projects.*

*In conclusion, upon the examination, analysis and evaluation of the relevant information and applying the precautionary principle, it is concluded by the authors of this report that, on the basis of objective information; the possibility **may be excluded** that the Proposed Development will have a significant effect on any of the European Sites listed below:*

- Rye Water Valley / Carton SAC (01398)
- Glenasmole Valley SAC (001209)
- Wicklow Mountains SAC (002122)
- Wicklow Mountains SPA (004040)

*In carrying out this AA screening, **mitigation measures have not been taken into account**. Standard best practice construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.*

*Further to the screening exercise presented above, it can be concluded, on the basis of the best scientific knowledge available, that the possibility of any significant effects on any European Sites, whether arising from the project itself or in combination with other plans and projects, **can be excluded**. Thus, there is no requirement to proceed to Stage 2 of the Appropriate Assessment process; and the preparation of a Natura Impact Statement (NIS) is not required”.*

It is therefore considered that no further assessment is required for the application site as a standalone project.

12.0 Documents Submitted

The documentation outlined in the following sections forms part, and is in support of, the subject Planning Application.

12.1 Planning Application Form

1 copy of the completed South Dublin County Council Planning Application Form signed by Peadar McQuaid, Kilsaran Concrete, and dated 12th January 2022.

12.2 Planning Fee

Cheque made payable to South Dublin County Council in the sum of €852.40 representing the planning application fee, in accordance with Schedule 9 of the Planning and Development Regulations 2001 (as amended).

Class 4 - The provision of buildings other than buildings coming within class 1, 2, or 3
Prefabricated Office - 55m ²
Prefabricated Canteen - 48m ²
Power house - 56m ²
Total m ² = 159 m ² @ €3.60/ m ² = €572.40

Class 8 - Provision on, in over or under land of plant or machinery, or of tanks or other structures (other than buildings) for storage purposes
Water Holding Tank - 147m ²
Aggregate Storage Bays - 424 m ²
Total m ² = 571m ² < 0.1ha = €200.00

Class 13 – Development not coming within any of the foregoing classes

Weighbridge - <0.1 hectare thus Minimum fee = €80.00

Total Planning Fee Due = €852.40

12.3 Statutory Notices

An original page of the *Southside People*, published 12th January 2022, in which notice of the application has been published pursuant to article 17(1)(a) of the Planning and Development Regulations 2001 as amended. One copy of a Site Notice, dated 12th January 2022, and erected or fixed on the land pursuant to article 17(1)(b) of the *Planning and Development Regulations, 2001 as amended*.

12.4 Planning Drawings

Drawing Title	Drawing No.	Scale	Size
Location Map	KC01	A4	1:2500
Layout Plan	KC02	A1	1:500
Prefabricated Office	KC03	A3	1:100
Prefabricated Canteen Facilities	KC04	A3	1:100
Weighbridge	KC05	A3	1:100
Water Holding Tank	KC06	A3	1:100
Power House	KC07	A3	1:100
Aggregate Ground Storage Bays (No 1 & 2)	KC08	A3	1:125
Aggregate Ground Storage Bays (No 3 & 4)	KC09	A3	1:125
Sections	KC10	A3	1:100

12.5 Additional Documentation

Six No. copies of AA Screening Report prepared by Enviroguide Consulting Ltd in respect of the subject development, dated 6th January 2022.

13.0 Conclusion

The application seeks the continuation of use of the existing buildings and structures at the Adamstown facility on a permanent basis. There is significant demand for the value added products produced at the application site. The subject buildings and structures provide associated ancillary services to the existing approved concrete manufacturing plant. Further large scale developments proximate to the application site in addition to future population and jobs growth in the Dublin metropolitan area will ensure demand for the site will be sustained for the foreseeable future. The subject development will not give rise to an intensification of use and consequently there will be no increase in traffic arising from the proposal.

Having regard to the nature and scale of the subject buildings/structures, planning history of the site and the overall industrial character of the immediate locality. It is considered that the existing buildings and structures if permitted permanently would not injure the amenities of the area or conflict with the policies of the both the Current Development Plan and the draft Development Plan 2022 -2028 and accords with the principles of proper planning and sustainable development. In

addition the continuance of use of development, individually or in combination with other plans or projects, will not have a significant effect on any Natura 2000 site(s).

The applicant believes the repeated time limited permissions imposed on the application site are not merited and would request that any granting of permission be for an indefinite period.

Should you require any additional information please contact me.

Yours faithfully,



Peadar McQuaid
Senior Planner

For and on behalf of Kilsaran Concrete
E:Peadar.mcquaid@kilsaran.ie
T: 086 1374960

Appendix A - Appropriate Assessment (AA) Stage 1 Screening report