

Comhairle Chontae Atha Cliath Theas

PR/0088/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0310 **Application Date:** 16-Nov-2021
Submission Type: New Application **Registration Date:** 16-Nov-2021
Correspondence Name and Address: EMD Architects 107 Ludford Road, Ballinteer, Dublin 16.
Proposed Development: Change of use of existing detached warehouse unit to vehicle service workshop including new internal works to form new staff canteen and toilet accommodation; new fire door exit doors; roller shutter door to existing elevations and attached illuminated building signage.
Location: 483, Ballymount Cottages, Turnpike Road, Ballymount, Dublin 12
Applicant Name: Ventside Ltd.
Application Type: Permission

Description of Site and Surroundings

Site Area:

Stated as 0.145 Hectares

Site Description:

The application site is comprised of a single storey stone cottage (No. 483 Ballymount Cottages) and a two-storey warehouse unit. The site is comprised almost entirely of hardstanding/tarmac. The site is bound to the south by No. 484 Ballymount Cottages, to the east by the junction of Turnpike Road and Robinhood Road and to the north and west by a van and truck rental business.

The surrounding context of the subject site is comprised primarily of industrial/commercial land uses.

Proposal:

The proposed development is comprised of the change of use of the existing detached warehouse unit to a vehicle service workshop. To facilitate the proposed change of use, the proposed development includes the following:

- Internal alterations to the existing layout of the warehouse unit to provide a parts store (20sq.m), a service workshop (205sq.m) and ancillary staff facilities (53sq.m) comprised of a canteen, lockers, toilets and an accessible shower room.

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- No alterations are proposed to the first-floor level office (30sq.m) or the double height void over the main warehouse area.
- Elevational amendments including:
 - A new accessible ramp, steps and handrail to the main entrance and a new illuminated sign (1.3sq.m) above the existing roller door access of the front (east) elevation.
 - The provision of 2 new fire exit doors in the south elevation.
 - The provision of 2 new fire exit doors and 1 new roller shutter door in the north elevation.
 - No amendments are proposed to the existing rear (west) elevation.
- A new pedestrian entrance off the Turnpike Road (located adjacent to the existing vehicular entrance, which is to be retained).
- New landscaped areas at the entrance to the subject site along the eastern boundary and in the north-eastern and south-eastern corners of the site.
- Retention of the existing 7 car parking spaces on the subject site and the addition of 1 accessible space.
- All site works above and below ground.
- No works or amendments are proposed to the existing single storey stone cottage (No. 483 Ballymount Cottages).

Zoning:

The subject site is subject to zoning objective 'EE' – "To provide for enterprise and employment uses".

SEA Sensitivity Screening

No overlap is recorded in the SEA monitoring system.

Consultations:

Parks and Public Realm Department: No objection, subject to conditions.

Roads Department: Additional Information required.

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Planning Delivery Team:	No report received at time of writing.
Water and Drainage Operations:	No objection, subject to conditions.
Irish Water:	No objection, subject to conditions.
Environmental Health Officer:	No report received at time of writing.
Health and Safety Authority:	No report received at time of writing.

Submissions

Submission expiry date – 20th December 2021.

No submissions or objections received.

Planning History

Subject Site

None traced to the subject site.

Adjacent Sites

SD20A/0332 – Turnpike Road, Ballymount, Dublin 22

First floor extension over existing ground floor welfare facilities including changes to the elevations; erection of new cladding to the front (north east) elevation and part of the side (north west) elevation including for all associated signage and for alterations to the roof line of the existing porch at the main reception area; erection of 6.65m high totem signage structure located adjacent to the Turnpike road and for a 2.25m high totem signage structure located adjacent to the main reception entrance and for the erection of 3 x 6m high flag poles along the Turnpike Road; and for all ancillary site works. **Permission Granted, subject to conditions.**

SD12A/0216 - Murphy Truck Centre, Turnpike Road, Ballymount, Dublin 22.

Construction of an extension to the side of existing commercial building which shall be used as office space and for remedial works to the existing front and side facades of existing commercial building which shall include the provision of single skin side sheeting and replastering of existing blockwork; removal of existing portacabin that was previously used as offices for the commercial building upon the completion of the new extension works; provision of associated signage to the front and side facades of proposed new structure and for the erection of a signage inside the front roadside boundary; connections of foul and surface water sewer to existing public sewer networks and all ancillary site works. **Permission Granted, subject to conditions.**

Relevant Enforcement History:

None recorded for subject site.

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Pre-Planning Consultation:

None.

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

Chapter 4 Economic Development and Tourism

Policy ET1 Overarching

Section 4.3.3 Enterprise and Employment (EE) Zoned Lands

Policy ET3 Enterprise and Employment (EE)

Section 11.2.5 Enterprise and Employment Areas

Table 11.18 Key Principles for Development within Enterprise and Employment Areas

Section 11.2.8 Advertising, Corporate and Public Information

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Schedule 6: Outdoor Advertising Strategy

Relevant Government Guidelines:

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

Regional, Economic and Spatial Strategy 2019 - 2031, Eastern and Midlands Regional Authority, 2019.

Assessment:

The main issues for assessment are:

- Zoning and Council policy
- Visual impact
- Signage
- Access, Transport and Parking
- Drainage and Water Services
- City Edge Project
- 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 uses" in the South Dublin County Development Plan 2016-2022. A 'Service Garage' and 'Industrial Light' is permitted in principle within this zoning. The principle of the proposal is therefore acceptable, subject to compliance with the relevant policies, standards and requirements of the South Dublin County Development Plan 2016-2022.

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The proposed development would result in the change of use of the existing warehouse building on the subject site, comprised of internal alterations to the layout and minor elevational amendments. No additional floor area is proposed. This is not considered to represent a major intensification and would not raise issues given the zoning objective.

Visual Impact

The site presently accommodates a single storage cottage and a two-storey warehouse building, surrounded by hardstanding, bounded by palisade fencing and railings to the front.

The proposed change of use of the existing warehouse building would result in minor amendments to the appearance of the building. The proposal would be in keeping with the visual profile of the building and would not have any detrimental impacts on adjoining sites, especially given the context of the site and use of adjoining sites. The proposed elevational changes, which involve the addition of fire exit doors (north and south elevations) and a roller shutter door (north elevation), are considered to be minor and would be generally in keeping with the character and zoning objective for the area.

Signage

The proposal also includes a new illuminated sign (1.3sq.m) above the existing roller door access of the front (east) elevation

Following the making of variation No. 5 of the South Dublin County Development Plan 2016 - 2022, applications for signage are assessed on the basis of section 11.2.8 and Schedule 6 of the Plan. The site is part of 'zone 2', being located in a commercial area. Such sites can accommodate signage as appropriate in line with section 7 of Schedule 6. The proposed signage does not contradict any guidance in section 7 and, subject to it not being internally illuminated is therefore acceptable. **Condition to be attached.**

Access, Transport and Parking

The Report of the Roads Department has requested Additional Information to assess the proposed development, including the requirement for additional drawings, dimension details, pedestrian pathway details, AutoTrak details. Conditions have also been offered in the event of a Grant of Permission. The Planning Authority is of the opinion that all details required by the Roads Department can be achieved by way of **condition** of permission.

Drainage and Water Services

The Report of the Drainage and Water Services Department indicated no objection to the proposed development, subject to the following conditions:

- All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal.

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- The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development
- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

The Report of Irish Water indicated no objection to the proposed development, subject to the following conditions:

- All works shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure.
- All works shall comply with the Irish Water Standard Details & Code of Practice for Wastewater Infrastructure.

Parks and Landscape Services/Public Realm

The Report of the Parks and Landscape Services/Public Realm Department indicated no objection to the proposed development, **subject conditions**. The Planning Authority notes that the applicant has proposed planting of trees on this heavily soiled-sealed site and welcomes these proposals, which will lessen the visual impact of development on the site.

City Edge Project

The subject site is located at the edge and just outside of 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.

No report was received from the Planning Delivery Team in relation to the proposed development of this Planning Application. However, considering that no additional structures are proposed on the subject site and the positive addition of landscaping to the entrance along Turnpike Road, the proposed development would not be deemed negatively impact on the emerging City Edge Project. As such, the proposed development is deemed to be acceptable.

Screening for Appropriate Assessment

The applicant has not provided information in relation to Appropriate Assessment. With regard to the nature and scale of the proposal, it is not likely that the proposed development would have

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a significant impact on any Natura 2000 sites, either individually or in combination with any other plan or project, and therefore a Stage 2 Appropriate Assessment would not be required.

Screening for Environmental Impact Assessment

A mandatory EIAR is not required by Schedule 5 of the Planning and Development Regulations 2000 (as amended) for this development. Having regard to the nature and scale of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Other Considerations

Development Contributions	
Building Use Type Proposed	Floor Area (sq m)
Change of Use (Existing Warehouse to proposed Service Garage)	328sq.m
Additional Floor Area Proposed	0sq.m

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq. m.)
Service Garage	0sq.m (Change of Use - No new Floor Area)
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.145 Ha

Conclusion

Having regard to the 'EE' land-use zoning, and the scale and nature of the proposed change of use of an existing warehouse structure, the development would not be injurious to local amenities and would comply with the policies and objectives of the County Development Plan.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 -

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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, 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. External Finishes.
All external finishes shall harmonise in colour and texture with the existing warehouse building on the subject site.
REASON: In the interest of visual amenity.
3. Roads.
 - (i) The vehicular access point shall be a maximum width of 3.5 meters.
 - (ii) Any gates shall open inwards and not outwards over the public domain.REASON: In the interests of road safety and proper planning and sustainable development.
4. Landscape and Planting Plan
 - (A) Prior to the commencement of development, a fully detailed landscape plan, shall be submitted for the written agreement of the Planning Authority. The Landscape Plan shall include:
 - (i) A full works specification, that accords with the specifications and requirements of the Planning Authority.
 - (ii) Hard and soft landscaping including levels, sections and elevations.
 - (B) Prior to the commencement of development, a fully detailed Planting Plan for boundary planting/hedgerows for the development shall be submitted for the written agreement of the Planning Authority. The boundary planting shall:
 - (i) Provide screening to and from the surrounding area.
 - (ii) Consist of semi mature tree and hedge species and should comprise predominantly native species.REASON: In the interests of visual amenity and proper planning and sustainable development.
5. Drainage and Water Services
 - (i) All works shall comply with the Building Regulations -Technical guidance document- Part H Drainage and Wastewater disposal.

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(ii) There shall be complete separation of the foul and surface water drainage for the proposed development.

(iii) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

(iv) All works shall comply with the Irish Water Standard Details & Code of Practice for Water Infrastructure.

(v) All works shall comply with the Irish Water Standard Details & Code of Practice for Wastewater Infrastructure.

REASON: In the interests of adequate water supply and wastewater infrastructure.

6. Signage.

The business sign shall be either down or back lit only and shall not be internally illuminated.

REASON: In the interests of visual amenity and proper planning and sustainable development.

7. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

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

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

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

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when

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people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

8. **Noise Tones During Evening and Night.**

Clearly audible and impulsive tones at noise sensitive locations during evening and night time as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 (currently 19:00 – 07:00). shall be avoided irrespective of the noise level.

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, and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

9. **Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €32,393.28 (thirty two thousand three hundred and ninety three euros and twenty eight cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

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NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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

NOTE: The applicant is advised that where industrial effluent is produced or stored a licence may be required under the provisions of the Waste Management Act.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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REG. REF. SD21A/0310

LOCATION: 483, Ballymount Cottages, Turnpike Road, Ballymount, Dublin 12

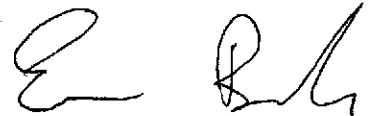


**Sarah Watson,
Executive Planner**

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:

19/1/22



Eoin Burke, Senior Planner