

Comhairle Chontae Atha Cliath Theas

PR/0277/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0223 **Application Date:** 09-Aug-2021
Submission Type: Additional **Registration Date:** 31-Jan-2022
Information

Correspondence Name and Address: Ciaran McMahon, R. C. Design Services Limited
Design Studio, Old Castle View, Kilgobbin Road,
Dublin 18

Proposed Development: Construction of a new 125sq.m (9.0m high) single storey side extension to existing facility for the storage of materials ancillary to the existing business currently operating on site with minor internal modifications and associated site development and ancillary works.

Location: Unit F6, South City Business Park, Tallaght, Dublin 24

Applicant Name: Paul A Glynn Limited

Application Type: Permission

(CM)

Description of site and surroundings

The site accommodates a light industrial warehouse is located directly south of the Whitestown Stream and embankments. The site is located in the City South industrial estate. A row of 76 warehouse units forms Block F of the estate. This linear block is arranged along a north-south axis with access and parking to the east.

Site Area – 0.0486 Ha.

Proposal

Construction of a new 125sq.m (9.0m high) single storey side extension to existing facility for the storage of materials ancillary to the existing business currently operating on site with minor internal modifications and associated site development and ancillary works.

SEA Monitoring

No overlaps indicated with the relevant layers.

Consultations Received

Roads

No Objection.

HSE Environmental Health Officer

No objection, subject to conditions.

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Environmental Services:

- Surface Water

Requests Additional Information.

- Flood Risk

No objection.

Irish Water

Requests Additional Information.

Observations/Representations/Submissions

None Received.

Planning History

SD04A/0135 (parent permission) – Grant of permission for three blocks comprising 38 new light industrial/warehouse units with a total gross internal area of 8,600sq.m of which 1,426sq.m will be ancillary office space; 226 car parking spaces, estate roads, landscaping, drainage, E.S.B. substation and associated site works.

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

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

Section 11.4.2 Car Parking Standards

Section 11.8.2 Appropriate Assessment

Relevant Government Policy

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

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

Waste Management Plan for the Dublin Region 2005-2010, Dublin City Council, Dun Laoghaire-Rathdown County Council, Fingal County Council and South Dublin County Council, (2005).

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

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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
- Public Realm
- Access, Transport and Parking
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning and Council Policy

Under the South Dublin County Development Plan 2016 - 2022, the site is subject to zoning objective 'EE' – 'To provide for enterprise and employment related uses.' The extension of the present light industrial use is permitted in principle.

Visual Impact and Local Amenities

The proposed extension of the warehouse to the north provides for 125sq.m. of solid block internal floor space. The extension would continue the roof line of the existing warehouse at 9 metres ridge height above ground. The proposed extension of approx. 7 metres would bring the warehouse to 2.5m from the northern boundary wall of the industrial estate. The north edge of the extension would run parallel to the boundary (rather than perpendicular to the long edge of the warehouse).

The proposal is considered visually acceptable. The context of the development does not provide for any visual impact or loss of amenity on the basis of this extension.

Access, Transport and Parking

The Roads Department has stated no objection to the proposed development.

Water Services

Irish Water and the Environmental Services Department have each requested additional information on the basis that no water layouts or SUDs proposals have been provided. Additionally, Irish Water seeks clarity on the separation distance of the proposed development from a nearby 300mm foul sewer pipe, which appears on service maps to traverse the site underneath the proposed warehouse extension. The pipe may need to be re-routed to facilitate the development, or its exact location should be surveyed in the presence of a council official.

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The proximity of the site to the Whitestown Stream is noted. Water services drawings are required and, in particular, proposals to maintain existing water run-off rates on the site. This is a reasonable basis for a request for **additional information**.

A minimum distance of 10m is required from existing watercourses. This should be sought as **further information**. See below

G3 Objective 2:

To maintain a biodiversity protection zone of not less than **10 metres** from the top of the bank of all watercourses in the County, with the full extent of the protection zone to be determined on a case by case basis by the Planning Authority, based on site specific characteristics and sensitivities. Strategic Green Routes and Trails identified in the South Dublin Tourism Strategy, 2015; the Greater Dublin Area Strategic Cycle Network; and other government plans or programmes will be open for consideration within the biodiversity protection zone, subject to appropriate safeguards and assessments, as these routes increase the accessibility of the Green Infrastructure network.

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 permissible in principle and can be accommodated on the site without harming the visual amenities of the area; however, additional information is required in relation to water services – in particular the location of and interaction with an existing 300mm foul sewer.

Recommendation

Request Additional information.

Additional Information

Additional information was sought on 4th October 2021 and received on 31st January 2022. See items quoted in the assessment section below.

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Further Consultations

Environmental Services:

- Surface Water Recommends Clarification of Additional Information
- Flood Risk No objection.

Irish Water Recommends Clarification of Additional Information

Further Observations/Representations/Submissions

None

Assessment of Additional Information

Item 1

(a) There is an existing 300mm foul sewer which is shown on service maps to traverse the site beneath the proposed extension. The proposed development cannot be built over this pipe. The applicant is requested to submit a plan and section drawing showing required setback distance (as per Irish Water standards) to outside edge of existing 300mm foul sewer. The applicant may need to survey the precise location of the pipe and should provide a report as additional information if a survey is undertaken.

(b) the applicant is requested to have regard to objective G3 objective 2 (of the South Dublin County Development Plan 2016 - 2022) which requires a 10m set back from watercourses in order to maintain a biodiversity strip

(c) The applicant is requested to submit a drawing showing the watermain, surface water and foul drainage layout of the proposed development.

Response to 1(a)

The applicant has proposed to divert the pipe and has provided a layout drawing showing that the pipe will be diverted around the development at a minimum distance of 2 metres from the proposed building.

Assessment

The Irish Water consultee report recommends that a Confirmation of Feasibility be provided to the Planning Authority by way of Clarification of Additional Information. This would require that the applicant seek Irish Water's agreement in principle to the revised layout of the foul water and submit this written confirmation to South Dublin County Council.

It is considered appropriate that confirmation is given by Irish Water to acceptability of the proposed diversion layout prior to commencement of works. The applicant was not asked to undertake an application to Irish Water for a Confirmation of Feasibility at additional information stage and so it is considered not to be appropriate to seek clarification of additional information at this stage. It is also noted that Irish Water appears to allow applications for a Confirmation of Feasibility following a grant of planning permission.

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There should therefore be a **condition** attached to any grant of permission, requiring the submission to the planning authority of a Confirmation of Feasibility and Diversion Agreement prior to commencement of any works on the site.

Response to 1(b)

The applicant has confirmed that the site is 30m from the nearby watercourse and outside the already-established protection zone.

Assessment

The response is satisfactory.

Response to 1(c)

The applicant has provided drawings as required. It is proposed to provide a new SW line to the north of the extension and to direct this to an underground attenuation tank, which shall in turn connect to the existing surface water line east of the building. It is proposed to divert a foul water line around the building to the north. The drawing does not show the water supply layout nor the existing connections to services from the unit, however existing manholes and AJs are shown.

In terms of connections, the applicant states the following:

Surface Water: Existing unit has a connection to this service. Proposed connection from extension to attenuation tank, and from attenuation tank to SW line east of building.

Foul Water: Existing unit has a connection to this service. No connection needed as extension is to be used for storage only and will not generate foul water.

Water Main: Existing unit has a connection to this service. No additional mains required.

Assessment

The Irish Water report recommends clarification of additional information and submission of a watermain layout drawing. Having regard to the note on services provided by the applicant, it is considered that the drawing submitted can be accepted and outstanding issues can be conditioned.

Item 2

There are no SuDS (Sustainable Drainage Systems) proposed for the development. The applicant is requested to submit a drawing and report showing what SuDS are proposed for the development. Examples of SuDS include Green Roofs or Blue Roofs, Green areas or other such SuDS.

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Response

The applicant is proposing an underground 8,000 L attenuation tank.

Assessment

The Environmental Services Department seeks clarification of additional information. Their response reads:

“1.1 There are no SuDS (Sustainable Drainage Systems) proposed for the development. Submit a drawing and report showing what SuDS are proposed for the development. Examples of SuDS include Green Roofs or Blue Roofs, Green areas or other such SuDS. Note a concrete tank is not a SuDS system and is not permitted.

1.2 SDCC (South Dublin County Council) water services calculate Qbar to be less than 2 litres/second/hectare. A practical discharge rate of 2 litres/second is acceptable to allow surface water discharge from site. Submit a drawing showing what the discharge rate is proposed for the site.”

It is considered that SUDS measures can be specified in a grant of permission as a **condition**, with alternative arrangements made possible by written agreement prior to commencement.

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.

Other Considerations

Bonds & Contributions

This is a commercial extension of 125sq.m.

SEA Monitoring

Development Type: Commercial

Floor Area (sq.m.): 125

Site Type: Brownfield/Urban Consolidation

Site Area (Ha.): 0.0486 Ha.

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Conclusion

The applicant has responded to the request for additional information, but two issues remain: firstly, that the proposed diversion of the foul water pipe requires confirmation of feasibility from Irish Water; secondly, that proper SuDs measures are required. Having regard to these issues, it is considered that they can be addressed by conditions.

Recommendation

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

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development 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 31st January 2022, 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. SuDS.
Prior to commencement of development, the applicant shall obtain the written agreement of the Planning Authority to a SUDs and surface water drainage layout with measures to achieve the following:
 - (a) A practical discharge rate of no more than 2 litres/second per hectare.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

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3. Irish Water Connection and Diversion Agreements.
 - (a) Prior to the commencement of any works on the site in relation to this permission, the applicant or developer shall submit to the Planning Authority the following:
 - (i) Confirmation of Feasibility from Irish Water regarding proposed diversion of the Foul Sewer.
 - (ii) Offer of Diversion Agreement from Irish Water regarding the same.Note: Information on the process for obtaining a Diversion agreement can be found at <https://www.water.ie/connections/developer-services/diversion-and-build-over/>.
 - (b) 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.
4. 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 development of the area and in order to ensure adequate water supply and drainage provision.
5. 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.
6. 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.

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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 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.

7. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €12,345.00 (twelve thousand three hundred and forty five euros), 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

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customerservice@water.ie.

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

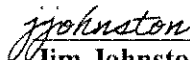
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REG. REF. SD21A/0223


LOCATION: Unit F6, South City Business Park, Tallaght, Dublin 24



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: 28/2/22



Eoin Burke, Senior Planner