

Comhairle Chontae Atha Cliath Theas

PR/0289/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0239 **Application Date:** 27-Aug-2021
Submission Type: Additional **Registration Date:** 01-Feb-2022
Information

Correspondence Name and Address: Kavanagh Burke Consulting Engineers Unit F3,
Calmount Park, Ballymount, Dublin 12

Proposed Development: Alterations to an existing granted planning application (previously granted permissions Reg. Ref. SD18A/0314 [ABP-304148-19], SD19A/0408, SD20A/0187); reconfiguration of the ground floor area consisting of a new ancillary storage area to the proposed building's eastern elevation measuring 75sq.m, at mezzanine level; change of use of 57sq.m of warehouse floor area to staff facilities due to the following, addition of single storey fire protected corridor from Office A to in the south-west corner of the warehouse, overall 45sq.m floor area addition; addition of stairs from warehouse to mezzanine level, overall 12sq.m floor area addition; elevation alterations, introduction of covered glazed structure at the main Office entrance to the front (southern) elevation, overall height 6.18m; introduction of Integrated Modular Louvre System to Charging Area to the front (southern) and side (eastern) elevation; change of colour of southern elevation warehouse canopy to Anthracite; introduction of fire escape doors to the side (eastern) elevation; site plan alterations, omission of an existing roundabout and provision of revised road junction with an access/egress to the proposed development and to the existing Business Park; provision of a new boundary fence Type A to the southern and eastern site boundary; introduction of additional 26 HGV parking spaces to the western concrete yard (overall area 1547sq.m) and the omission of car parking at the same location; introduction of 8 van parking spaces (overall area 240sq.m) and rearrangement of the car parking spaces due to introduction of the above changes, plus addition of gas tank and generator; associated drainage layout adjustments due to the inclusion of the above alterations; all other details

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such as landscaping, external surface finishes etc. will remain as per the aforementioned granted planning applications.

Location: Kingswood Business Park, Baldonnel, Dublin 22.
Applicant Name: JMC Van Trans Ltd.
Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: Stated as 4 hectares.

Site Description:

The site is located in Kingswood Business Park, situated to the east of Baldonnel House and east of Baldonnel Aerodrome. The site is currently under construction.

Site visited

29 September 2021

Proposal:

Permission is sought for the following:

- Reconfiguration of the ground floor including:
 - Provision of a new ancillary storage area to the eastern elevation measuring 75sq.m at mezzanine level.
 - Change of use of 57sq.m of warehouse floor area to staff facilities due to:
 - Addition of single storey fire protected corridor from Office A to in south-west corner of the warehouse, (45sq.m)
 - Addition of stairs from warehouse to mezzanine level (12sq.m).
- Elevation alterations including:
 - Introduction of covered glazed structure at the main office entrance to the front (southern) elevation, overall height 6.18m;
 - Introduction of integrated modular louvre system to charging area to the front (southern) and site (eastern) elevation;
 - Change of colour of southern elevation warehouse canopy to anthracite
 - Introduction of fire escape doors to the site (eastern) elevation
- Site plan alterations including:
 - Omission of an existing roundabout and provision of revised road junction with an access/egress to the proposed development and to the existing Business Park
 - Provision of a new boundary fence Type A to the southern and eastern site boundary

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- Introduction of an additional 26 HGV parking spaces to the western concrete yard (overall area 1,547sq.m) and the omission of car parking at the same location
- Introduction of 8 van parking spaces (overall area 240sq.m)
- Rearrangement of car parking spaces due to aforementioned changes
- Addition of gas tank and generator at south west of the site
- Associated drainage layout adjustments.

Zoning:

The site is zoned objective EE – *‘To provide for enterprise and employment related uses.’*

Consultations:

Surface Water Drainage – Further information requested

Roads Department – Further information requested

Parks – No objection, conditions recommended

D.O.C.H.G. Archaeological Heritage – no reply

Health and Safety Authority – no reply

SEA Sensitivity Screening:

Indicates overlap with flood zones SFRA A and SFRA B.

Site is adjacent to protected structure RPS Ref. 202, Baldonnell House and adjacent to the Rural Layer.

Submissions/Observations /Representations:

Submission expiry date – 30/09/2021

1 submission received, including the following:

- Lack of landowner consent to make application
- No consultation with other owners in regard to proposed works, specifically new access arrangements within Kingswood Business Park
- Traffic and safe access concerns
- Site security concerns if security entrance gate removed

Relevant Planning History

SD21A/0115: Further alterations to an existing granted planning application (previously granted permissions Reg. Ref. S018A/0314 (ABP-304148-19); SD19A/0408; S020A/0187); alterations consist of site plan alterations; revised site boundary to suit new arrangement of additional land used as concrete yard and HGV parking; omission of an existing roundabout and provision of a road junction with an access/egress to the proposed development and to the existing business park; provision of a new boundary fence type A to the southern and eastern site boundary; associated drainage adjustments; all other details will remain as per the aforementioned granted planning applications. **Permission Refused for the following reasons:**

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- 1. The application is deficient as it is unclear whether the applicant owns the entire application site. In the absence of such information, the Planning Authority considers the proposal contrary to the proper planning and sustainable development of the area.*
- 2. The site is within land that has a zoning objective OS - To preserve and provide for open space and recreational amenities. The South Dublin County Development Plan 2016 - 2022 states that the use class of warehousing and car parking is not permitted within lands zoned for this objective. Thus, the proposed development would contravene the 'OS' land-use zoning objective and would therefore contravene the South Dublin County Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.*
- 3. The proposed development, by way of the design of the fencing, the intrusion of hardstanding into an area zoned as open space, resulting in significant soil sealing in a sensitive location of the County and the erosion of existing open space, would negatively impact on the visual amenities of the area, would seriously diminish the County's requirement to protect and enhance the environmental capacity and ecological function of open spaces (G4 Objective 1) and to connect 'parks and areas of open space with ecological and recreational corridors to aid the movement of biodiversity' (G4 Objective 2) and if granted would be contrary to objectives of the South Dublin County Council Development Plan and be contrary to the proper planning and sustainable development of the area.*
- 4. The proposed development requiring the introduction of underground attenuation systems, to provide for industrial-type uses on lands zoned for open space would be contrary to Objective IE2 Objective 5 which seeks to limit surface water run-off from new developments through the use of SUDS and 'avoid the use of underground attenuation and storage tanks' and would be contrary to Objective G5 Objective 1 which promotes and supports the development of SUDS to maximise the amenity and biodiversity value of these systems, and if granted the proposed development would be contrary the objectives of the South Dublin County Council Development Plan and be contrary to the proper planning and sustainable development of the area.*

SD20A/0187: Alterations to an existing granted planning application (previously granted permission Reg Ref SD18A/0314 [ABP-304148-19]; SD19A/0408), to incorporate elevation revisions only to the front 3 storey attached ancillary office block. the alterations comprise a change of material cladding and fenestration revisions to the front and immediate side elevations of the ancillary offices (south, east and west elevations). The previously approved cladding 'Ceramic Granite' stone finish is proposed to be revised to 'Benchmark Dri-Design Rainscreen Facade' profiled metal cladding system. All other details remain as per the aforementioned granted planning applications. **Permission Granted**

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SD19A/0408: Alterations to an existing granted planning application Reg. Ref. SD18A/0314 as follows: (1) reconfiguration of the ground floor area with provision of a new ancillary charging area to the proposed building's southern elevation measuring 265sq.m, overall height 6.2m; previously proposed plant room to the building's eastern elevation to be omitted; (2) elevation alterations with introduction of 11 level access doors to the eastern elevation; introduction of charging area to the southern and eastern elevation and rearrangement of fire doors to the eastern elevation; introduction of the canopy above level access doors and horizontal curtain walling above the canopy to the eastern elevation; height reduction to the canopy above level access doors to the western elevation; (3) site plan with rearrangement of the car parking spaces due to the introduction of charging area to the south and level access doors to the east of the proposed warehouse, including the provision of car parking spaces to the west for warehouse staff and omission of HGV parking at the same location; (4) provision of ESB sub-station; incorporating minor adjustments to the drainage on site; all other details will remain as per the granted application Reg. Ref. SD18A/0314. **Permission Granted**

SD18A/0314: Warehousing unit incorporating ancillary offices/staff facilities on 3 floors to the front (south) elevation, office/staff facilities for the warehouse use at the rear (north) elevation and plant room, totalling 14,104sq.m gross internal area, which comprises: (1) 12,240sq.m warehousing area (17.9m high); (2) 1,674sq.m front ancillary office/staff facilities area on 3 floors (12.45m high); (3) 122sq.m office/staff facilities attached to the rear of the warehouse (8.4m high), 63sq.m plant room attached to the eastern side of the warehouse (5.7m high). The development also includes: (A) On-site security hut 16sq.m (3.00m high) at the HGV access/egress location; (B) 4,160sq.m solar panels placed on the warehouse roof; (C) Site access; (D) Ancillary car parking (145 spaces); (E) HGV marshalling yard on 16,380sq.m of yard and HGV parking for 49 vehicles; (F) Dock levellers and level access doors; (G) Canopy over level access doors attached to western elevation and canopy over dock levellers at the rear; (H) Perimeter landscaping; (I) Drainage works including underground surface water attenuation facility, flood management measures, foul sewer pumping and storage tank; (J) All services and utilities and (K) All associated site development works. **Refused by SDCC. Granted Permission on Appeal (ABP PL06S.304148).**

SD12A/0070: (1) Construction of new single storey shop building comprising retail area with ancillary off-licence, food bar area, console, seating area, storage room, office and toilets; (2) construction of a new forecourt with 6 no. pump islands and canopy area; (3) installation of 1 no. car wash facility and a single storey car wash recycling equipment building; (4) installation of 4 no. 40000L underground fuel tanks and associated pipework and fill points; (5) construction of ancillary site features such as trash compound, signage, landscaping, drainage systems, main ID sign, boundary treatments and car parking. **Permission Granted**

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SD09A/0241/EP: Single storey car testing facility, total gross internal area 854sq.m. comprising 662sq.m. inspection bay and 192sq.m. ancillary accommodation comprising staff toilets, lockers and canteen, administration and public reception//waiting area; 31 car parking spaces; vehicle manoeuvring area; landscaping.

Extension of Duration Refused

SD09A/0241: Single storey car testing facility, total gross internal area 854sq.m. comprising 662sq.m. inspection bay and 192sq.m. ancillary accommodation comprising staff toilets, lockers and canteen, administration and public reception//waiting area; 31 car parking spaces; vehicle manoeuvring area; landscaping.

Permission Granted

SD07A/0562: 17 new light industrial/warehouse units with a total gross internal area of 5,688sq.m of which 1,065sq.m will be ancillary office space; 170 car parking spaces, estate roads, landscaping, drainage, ESB sub station and associated site works. **Permission Granted**

SD06A/0245: In response to the request for Additional Information, the development has been revised to provide for the relocation of the main access road from Baldonnell Road to the north, alterations to the layout and revisions to the red line site boundary deriving from the change in the position of the access road. The revised scheme provides for two blocks comprising 35 new light industrial/warehousing units with a total gross internal area of 7985sq.m., of which 1415sq.m. will be ancillary office space; 276 car parking spaces. **Permission Granted**

S99A/0855: Change of use of Baldonnell House, a list 2 building, and associated lands and outhouses including the stables and derelict gate lodge from residential use to use as hotel and golfing facilities. **Outline Permission Refused.**

Adjacent sites

SD07A/0141: 8 new light industrial/warehouse units with a total gross internal area of 2,822sq.m of which 342sq.m will be ancillary office space; 70 car parking spaces, landscaping, drainage, and associated site works. **Permission Granted**

Relevant Enforcement History:

None recorded.

Pre-Planning Consultation:

None recorded.

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

Section 1.12.0 Employment Lands

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Section 4.2.0 Strategic Policy For Employment

Policy ET1 Economic and Tourism Overarching Policies and Objectives

It is the policy of the Council to support sustainable enterprise and employment growth in South Dublin County and in the Greater Dublin Area, whilst maintaining environmental quality.

Policy ET3 Enterprise and Employment (EE)

It is the policy of the Council to support and facilitate enterprise and employment uses (hightech manufacturing, light industry, research and development, food science and associated uses) in business parks and industrial areas.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

Section 7.5.1 Waste and Resource Policy and Legislation

Policy IE5 Waste Management

Section 7.6.0 Major Accidents Directive

Policy IE6 Major Accidents

7.7.0 Environmental Quality

Policy IE6 Environmental Quality

Section 8.0 Green Infrastructure

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 10.0 Energy

Policy E3 Energy Performance in Existing Buildings

Policy E4 Energy Performance in New Buildings

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Policy E5 Waste Heat Recovery & Utilisation

Table 11.18: Key Principles for Development within Enterprise and Employment Zones

Section 11.2.1 Design Statements

Section 11.2.5 Enterprise and Employment Areas

Section 11.2.7 Building Height

Section 11.2.8 Signage – Advertising, Corporate and Public Information

Table 11.19: Signage – Types of Signs, Restrictions on Use and Design Criteria

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.23: Maximum Parking Rates (Non Residential)

Section 11.4.4 Car Parking Design and Layout

Section 11.4.6 Travel Plans

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.6.3 Environmental Hazard Management

Section 11.6.3 (i) Air Quality

Section 11.6.3 (ii) Noise

Section 11.6.3 (iii) Lighting

Section 11.6.4 Major Accidents – Seveso Sites

Section 11.6.5 Waste Management

Section 11.7.2 Energy Performance In New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

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

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

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

Assessment

The main issues for assessment relate to the following items:

- Zoning and Council policy,
- Visual Impact
- Overcoming reasons for refusal of SD21A/0115
- Roads
- Public Realm
- Services and Drainage,
- Screening for Appropriate Assessment (AA),
- Screening for Environmental Impact Assessment (EIAR).

Zoning and Council Policy

The site is zoned objective EE – *'To provide for enterprise and employment related uses.'*
Warehousing is 'Permitted in Principle' under this zoning objective.

Visual Impact

Reconfiguration of the ground floor

It is proposed to provide an additional 75sq.m mezzanine level for ancillary storage, accessed via stairs from the warehouse and to provide a single storey fire protected corridor. These alterations result in minimal changes to the external elevations of the warehouse and are considered acceptable.

Elevation alterations

It is proposed to provide a covered glazed structure at the main office entrance, an integrated modular louvre system to the southern and eastern charging areas, change of colour of warehouse canopy to anthracite and introduction of an additional fire door on the eastern elevation. The covered glazed structure, consisting of curtain walling is shown on sections and elevations as being 3.93m in height. It is noted that in the notes on drawings the maximum height of the covered entrance is stated as 6.18m. this is considered to be a typing error as all other drawings are consistent in terms of the height of the structure. These changes are considered acceptable, and a **condition** should be attached to any grant specifying that the covered entrance way shall not exceed 3.93m.

Site plan alterations

It is proposed to remove the existing roundabout within Kingswood Business Park and provide a revised road junction with an access/egress to the proposed development and remainder of the existing Business Park. A new boundary fence is proposed along the southern and eastern site

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boundary along. An additional 26 HGV parking spaces are proposed at the west of the site, replacing previously permitted car parking spaces. Under SD18A/0314, 14 HGV parking spaces were permitted at this location. Rearrangement of the car parking spaces and the addition of 8 van parking spaces are proposed along with the provision of a gas tank and generator at the south west corner of the site. This area was previously permitted as car parking and bicycle storage. Drainage layout adjustments are proposed as a result of these alterations.

Roads and drainage issues are dealt with under the relevant headings below.

It is noted that based on Table 11.23 of the South Dublin County Development Plan 2016 – 2022, a maximum of 164 parking spaces would be acceptable for this development. A total of 115 car parking spaces are provided and this is considered acceptable. 20 bicycle parking spaces appear to have been relocated to facilitate the inclusion of the gas tank and generator and are now indicated near the site entrance however, they are not clearly shown. The applicant should be requested to clarify covered bicycle parking proposals through the submission of **additional information**.

While the site layout plan shows the location of the proposed gas tank and generator, it is considered that insignificant information has been provided in relation to their physical appearance and any screening proposed. This should be addressed through **additional information**.

With regards to the proposed fence located along the roadside, this is the same proposal that was refused under SD21A/0115, for stone pillars and metal fencing. It is noted that previous concerns about the proposed fence being out of character with the existing stone and railing fence, and previously permitted fence under SD18A/0314, have not been addressed. No rationale has been provided for the proposed amendments to the previously permitted fence. It is considered the proposed fence would have a negative impact on the visual amenities of the area and permission should be **refused** on this basis.

The submission received raises concerns about the removal of the security gate at the main entrance of Kingswood Business Park. It is not clear from drawings that this is proposed to be removed however it is considered that its retention can be ensured by **condition**.

Overcoming Previous Reasons for Refusal of Reg. Ref. SD21A/0115

- 1. The application is deficient as it is unclear whether the applicant owns the entire application site. In the absence of such information, the Planning Authority considers the proposal contrary to the proper planning and sustainable development of the area.*

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A letter of consent **has not been provided** with the current application. In this instance it is considered appropriate to request a letter of consent as **additional information**.

- 2. The site is within land that has a zoning objective OS - To preserve and provide for open space and recreational amenities. The South Dublin County Development Plan 2016 - 2022 states that the use class of warehousing and car parking is not permitted within lands zoned for this objective. Thus, the proposed development would contravene the 'OS' land-use zoning objective and would therefore contravene the South Dublin County Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.*

The site boundary has been amended to omit the previously included north western section of the site that is zoned OS. It is considered that this previous reason for refusal has been overcome.

- 3. The proposed development, by way of the design of the fencing, the intrusion of hardstanding into an area zoned as open space, resulting in significant soil sealing in a sensitive location of the County and the erosion of existing open space, would negatively impact on the visual amenities of the area, would seriously diminish the County's requirement to protect and enhance the environmental capacity and ecological function of open spaces (G4 Objective 1) and to connect 'parks and areas of open space with ecological and recreational corridors to aid the movement of biodiversity' (G4 Objective 2) and if granted would be contrary to objectives of the South Dublin County Council Development Plan and be contrary to the proper planning and sustainable development of the area.*

The fence that was previously refused has been included in this current application and is still considered unacceptable. In this regard the reason of refusal has not been overcome and the proposed fence should be **refused**.

No proposals are included for the area previously included that is zoned OS. In this regard this aspect of the previous reason for refusal has been overcome.

- 4. The proposed development requiring the introduction of underground attenuation systems, to provide for industrial-type uses on lands zoned for open space would be contrary to Objective IE2 Objective 5 which seeks to limit surface water run-off from new developments through the use of SUDS and 'avoid the use of underground attenuation and storage tanks' and would be contrary to Objective G5 Objective 1 which promotes and supports the development of SUDS to maximise the amenity and biodiversity value of these systems, and if granted the proposed development would be contrary the objectives of the South Dublin County Council Development Plan and be contrary to the proper planning and sustainable development of the area.*

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The current application excludes the area zoned OS to the north west of the site and therefore this reason for refusal has been overcome. It is noted that **further information** has been recommended by the Surface Water and Drainage department in relation to SuDS giving the applicant further opportunity to address this previous reason for refusal.

Roads

The Roads Department has reviewed the file. With regard to the proposed road layout amendments and additional HGV and van parking proposed, the Roads Department has recommended **further information**, including the following:

1. *The applicant is requested to submit a letter of consent from the third party who have the right of way on the access road in order for the proposed changes to the existing roundabout and provision of revised road junction. The applicant should note that an amended site location map/site layout drawing should be submitted showing clearly any right of way in the applicant landownership. A letter of consent from the third party who have the right of way on the main access road is required.*
2. *The applicant shall submit detail design of all the retaining walls at the proposed development including:*
 - *fully dimensioned drawing*
 - *foundations including sub-base specification*
 - *steel reinforcement arrangement, concrete specifications*
 - *loadings post construction (dead, live, hydraulic, etc)*
 - *drainage/groundwater management*
3. *The applicant shall provide information with regards to their proposed bin/waste collection arrangement and bin storage and collection locations, including auto track analysis showing how bin truck can access and egress the site safely.*
4. *The applicant shall submit revised layout of not less than 1:100 scale, showing a swept path analysis drawing (i.e., Auto-track or similar) demonstrating that fire tenders and large vehicles can access/egress the proposed junction towards the southern existing Kingswood Business Park.*
5. *The applicant shall submit an operational management plan which should include no. of HGVs making deliveries to and from the proposed development during the operational phase of the proposed development.*
6. *The applicant shall provide the unladen Gross Vehicular Weight of proposed 8 no. Vans to be parked at the proposed development.*

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It is considered that the above further information should be requested. It is noted that in the event of a grant of permission, the Roads Department have also recommended standard **conditions**.

Public Realm

The Public Realm Section has reviewed the application and has no objection. An extract taken from the Public Realm Report states the following:

- (i) The relevant conditions of previously granted permissions shall apply.*
- (ii) There shall be no net loss of trees from the previously granted permission. Trees shall be included at the revised entrance.*

In the event of a grant the above **conditions** shall be attached.

Services and Drainage

Surface Water Drainage has reviewed the file and has recommended **further information**, including the following:

- 1. There are 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.*
 - *Explain why discharge rate has changed from 7.63l/s in 2018 to new proposed discharge rate of 8.75 l/s.*
- 2. Submit a drawing to clearly show all changes proposed new proposed development. Submit a drawing showing what was initially given planning permission for.*
- 3. Submit a report and drawing to examine if an alternative SuDS (Sustainable Drainage System) element can be developed to replace proposed retaining wall north of site.*

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- 4. Include as much SuDS as possible to attenuate surface water. Examples of SuDS are green open area/s ponds, swales, filter drains, tree pits, permeable paving, green roofs, grasscrete and other such SuDS.*

In terms of flood risk, there is no objection subject to conditions, including the submission of a report to outline the flood risk of the proposed development prior to commencement and standard **conditions**.

Other Matters

From the submissions received, a review of previous applications at the site and the blue line boundaries indicated on the site location plan, it is not apparent that the applicant owns all of the land for which they have applied for planning permission. The relevant letters of consent have not been submitted. The applicant should be requested to supply letters of consent from the relevant landowners as **additional information**.

Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. An Appropriate Assessment Screening Report has been submitted prepared by JDA Consulting, July 2018 for application ref: SD18A/0314. This proposal seeks to amend SD18A/0314 and it is not considered that the changes would result in significantly different impacts on Natura 2000 sites. 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.

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.

SEA Monitoring Information

SEA Monitoring Information	
Building Use Type Proposed	Warehousing/office – no change to previous permitted use
Floor Area (sq.m)	75 sq.m
Land Type	Brownfield
Site Area	4 ha

Conclusion

Request Further Information.

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Recommendation

Request Further Information.

Further Information

Further Information was requested on 21/10/2021

Further Information was received on 01/02/2022

Consultations

Roads – No objection, conditions recommended

Water Services – No objection, conditions recommended

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested is as follows:

1. The applicant is requested to submit a letter of consent from the third party who has the right of way on the access road in order for the proposed changes to the existing roundabout and provision of revised road junction. The applicant should note that an amended site location map/site layout drawing should be submitted showing clearly any right of way in the applicant landownership. A letter of consent from the third party who have the right of way on the main access road is required.
2. The applicant is requested to provide additional site layout drawings detailing the exact location of bicycle parking, noting that bicycle parking must be covered. Plans, sections and elevations are also requested, providing detailed proposals for covered bicycle parking.
3. The applicant is requested to provide additional drawings and information in relation to the proposed gas tank and generator, including any screening proposals, to allow for a full assessment of their impact.
4. The applicant is requested to submit detail design of all the retaining walls at the proposed development including:
 - fully dimensioned drawing
 - foundations including sub-base specification
 - steel reinforcement arrangement, concrete specifications
 - loadings post construction (dead, live, hydraulic, etc.)
 - drainage/groundwater management
5. The applicant is requested to provide information with regards to their proposed bin/waste collection arrangement and bin storage and collection locations, including auto track analysis showing how bin truck can access and egress the site safely.
6. The applicant is requested to submit revised layout of not less than 1:100 scale, showing a swept path analysis drawing (i.e., Auto-track or similar) demonstrating that fire tenders

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- and large vehicles can access/egress the proposed junction towards the southern existing Kingswood Business Park.
7. The applicant is requested to submit an operational management plan which shall include no. of HGVs making deliveries to and from the proposed development during the operational phase of the proposed development.
 8. The applicant is requested to provide the unladen Gross Vehicular Weight of the 8 vans proposed to be parked at the proposed development.
 9. The applicant is requested to 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.
 - (a) The applicant is requested to contact water services prior to submission of surface water attenuation calculations to discuss same.
 - (b) The report must explain why discharge rate has changed from 7.63l/s in 2018 to new proposed discharge rate of 8.75 l/s.
 10. The applicant is requested to submit a drawing to clearly show all changes to the proposed new development and to submit a drawing showing what was initially given planning permission for.
 11. The applicant is requested submit a report and drawing to examine if an alternative SuDS (Sustainable Drainage System) element can be developed to replace proposed retaining wall north of site.
 12. The applicant is requested to provide detailed proposals for SuDS to be included in the development. Include as much SuDS as possible to attenuate surface water. Examples of SuDS are green open area/s ponds, swales, filter drains, tree pits, permeable paving, green roofs, grasscrete and other such SuDS.

Assessment

The applicant has submitted drawings and reports as requested and a letter from the agent date stamped 1st February 2022.

Item 1 – Letter of Consent

In their cover letter, the Applicant states that they are no longer proposing to amend the access/egress arrangement to the site and that this arrangement will remain unchanged from previous permissions SD18A/0314, SD19A/0408 and SD20A/0187. This response is considered acceptable, and a **condition** should be attached to any grant clearly stating that no alterations to the access arrangement are permitted as part of this application.

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Item 2 – Bicycle Parking

Plans and elevations of proposed bicycle parking have been submitted for covered parking for 20 bicycles. A site layout plan shows the location of these spaces proximate to the entrance to the office element of the building and the pedestrian access to the site. The Roads department report states they are satisfied with this response. This part of the response is considered acceptable.

Item 3 – Gas Tank & Generator

It is stated by the applicant that the gas tank and generator will be screened behind a retaining wall. While detailed drawings have not been provided, the applicant has submitted images. Based on the additional information submitted, the gas tank and generator are considered acceptable.

Item 4 – Retaining Walls, Item 5 – Bin/Waste Collection, Item 6 – Swept Path Analysis, Item 7 – Operational Management Plan, Item 8 – Gross Vehicular Weight of Vans

The Roads department have reviewed the additional information provided and have stated no objection subject to the following conditions:

- 1. Prior to commencement, the applicant is required to submit a revised layout showing the removal of 3 no. HGV parking spaces in the bank of 25no. to open space for turning movements in the area adjacent to the northwest corner of the proposed warehouse.*
- 2. Prior to commencement, the applicant is required to submit a revised layout showing a concrete 2.0m wide footpath surrounding the proposed building connecting the fire escape doors to the safe assembly zones.*
- 3. All bicycle parking spaces shall be designed in accordance with the requirements of the National Cycle Manual, NTA (2011).*
- 4. A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be agreed with the roads department and the agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.*
- 5. Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme with South Dublin County Council Lighting Department. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department.*
- 6. Prior to commencement of development a developed Construction Traffic Management Plan shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.*
- 7. Prior to commencement of development, the applicant shall submit the Construction & Demolition Waste Management Plan for the written agreement of the Planning Authority.*

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8. *The proposed development shall make provision for the charging of electric vehicles. 100% of surface car parking spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 10% of surface car parking spaces for the apartments must be provided with electric vehicle charging points initially. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.*
9. *All roads' footpaths and hard standing areas are to be constructed to appendix 6 "Taking in charge standards".*

It is noted that there is overlap in these recommended **conditions** with those attached to Reg. Ref. SD19A/0408. A **condition** should be attached to a grant stating that all previous **conditions** are still to be complied with. Recommended **conditions** that are not attached to previous decisions should be attached in the event of a grant of this application in the interests of the proper management of the site and to ensure road safety.

Item 9 – Surface Water Attenuation Calculations, Item 10 – Permitted and Proposed Layout Drawings, Item 11 & Item 12 – SuDS

Water Services and Irish Water have reviewed the additional information submitted and have stated no objection to the development. In the event of a grant Water Services have recommended a **condition** is attached requiring the applicant to submit a report outlining the flood risk of the proposed development. Given that the current application seeks to amend a previously permitted and largely constructed development, it is continued irrelevant at this point to be seeking flood risk information, as the works are already largely complete. Irish Water have recommended standard **conditions** requiring the applicant to enter into water and wastewater connection agreements. As the works are largely complete on site it is not considered necessary to attach these **conditions**.

Conclusion

The development subject to conditions, is considered to be consistent with the zoning objective EE – *'To provide for enterprise and employment related uses'*, and the relevant provisions in the County Development Plan 2016-2022 and is considered acceptable.

Other Considerations

Development Contributions Assessment Overall Quantum

- 75sq.m mezzanine storage area
- 1617sq.m HGV parking area

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Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. It is considered that the proposal would be consistent with Council policy in relation to extensions to dwelling houses.

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 1 February 2022, save as may be required by the other conditions attached hereto. The applicant should note the following:
 - (a) The covered entrance shall not exceed 3.93m
 - (b) Permission is NOT granted for the proposed fence, with stone pillars and metal fencing. Fencing permitted at this site is as per SD18A/0314.
 - (c) No works are to be undertaken to the security gate at the entrance
 - (d) The entrance to the site shall remain as per previous permissions SD18A/0314, SD19A/0408 and SD20A/0187REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Previous Permissions.
The conditions of permission of Reg. Refs. SD18A/0314 (ABP PL06S.304148),

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SD19A/0408 and SD20A/0187 shall continue to apply except where superseded by this permission or the conditions attached to this permission.

REASON: To clarify which conditions shall apply to this development.

3. Revised Layout

(a) Prior to commencement, the applicant is required to submit a revised layout showing the removal of 3 HGV parking spaces in the bank of 25 to open space for turning movements in the area adjacent to the northwest corner of the proposed warehouse.

(b) Prior to commencement, the applicant is required to submit a revised layout showing a concrete 2.0m wide footpath surrounding the proposed building connecting the fire escape doors to the safe assembly zones.

REASON: To ensure traffic and pedestrian safety.

4. Bicycle Parking

All bicycle parking spaces shall be designed in accordance with the requirements of the National Cycle Manual, NTA (2011).

REASON: To ensure adequate bicycle parking is provided

5. Construction & Demolition Waste Management Plan

Prior to commencement of development, the applicant shall submit the Construction & Demolition Waste Management Plan for the written agreement of the Planning Authority.

REASON: To ensure suitable removal of waste during construction

6. Taking in Charge Standards

All roads, footpaths and hard standing areas are to be constructed to appendix 6 "Taking in charge standards".

REASON: To ensure works are completed to SDCC standards

7. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €23,382.96 (twenty three thousand three hundred and eighty two euros and ninety six 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

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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 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.

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REG. REF. SD21A/0239

LOCATION: Kingswood Business Park, Baldonnel, Dublin 22.



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