

An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
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NOTIFICATION OF DECISION TO GRANT PERMISSION
PLANNING AND DEVELOPMENT ACT 2000 (as amended) & PLANNING
REGULATIONS THEREUNDER

Decision Order Number: 0289	Date of Decision: 28-Feb-2022
Register Reference: SD21A/0239	Date: 01-Feb-2022

Applicant: JMC Van Trans Ltd.

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

Location: Kingswood Business Park, Baldonnel, Dublin 22.

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 21-Oct-2021 /01-Feb-2022

Clarification of Additional Information Requested/Received:

DECISION TO: Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, 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 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

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 condition(s) set out hereunder is thereby 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/0187

REASON: 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), 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 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.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014 the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.



for **Senior Planner**

07-Mar-2022

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations. 200 I should be consulted.

(B) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
2. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development.....€4,500.00 or €9,000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)..... €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal..... €110.00
 - (f) Appeal following a grant of leave to appeal..... €110.00
 - (g) Referral €220.00
 - (h) Reduced fee (payable by specified bodies) €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing..... €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at Telephone 01-858 8100