

Comhairle Chontae Atha Cliath Theas

PR/0302/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0007 **Application Date:** 12-Jan-2022
Submission Type: New Application **Registration Date:** 12-Jan-2022

Correspondence Name and Address: Peadar McQuaid, Agent Kilsaran Concrete,
Piercetown, Dunboyne, Co. Meath.

Proposed Development: The permanent continuation of use of the following existing buildings and structures: a prefabricated office (16.0m x 3.8m x 3.0m high); prefabricated canteen facilities (14.0m x 3.8m x 3.0m high); water holding tank (29.7m x 6.3m); 4 aggregate ground storage bays; power house (15.9m x 4.0m x 3.6m high); and weighbridge, all previously permitted for a five year period under Pl. Ref. SD17A/0218.

Location: Kilsaran Concrete, Adamstown, Lucan, Co. Dublin

Applicant Name: Kilsaran Concrete Unlimited Company

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 2.84 Hectares on the application.

Site Visit: 17th of February 2022.

Site Description

The subject site is located to the west of the R120 in Lucan, to the south of the railway line. The site consists of an existing operational concrete manufacturing facility with associated structures and building. Access to the site is gained via a shared vehicular entrance off the R120. The site is bounded by commercial buildings to the south and north, and agricultural lands to the east and west. Further south of the site is the Grand Canal.

Proposal

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

- a prefabricated office (16.0m x 3.8m x 3.0m high);
- prefabricated canteen facilities (14.0m x 3.8m x 3.0m high);
- water holding tank (29.7m x 6.3m);
- 4 aggregate ground storage bays;
- Power house (15.9m x 4.0m x 3.6m high); and

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- Weighbridge, all previously permitted for a five year period under Pl. Ref. SD17A/0218.

Zoning

The subject site is subject to zoning objective 'RU': *'To protect and improve rural amenity and to provide for the development of agriculture'* under the South Dublin County Development Plan 2016-2022.

Consultations

Water Services – no objection subject to conditions.

Irish Water – no objection subject to conditions.

Roads Department – no objections.

Public Realm Section – further information requested.

H.S.E. Environmental Health Officer – further information requested.

Water Pollution – no report received.

Heritage Officer – no report received.

Department of Housing, Local Government & Heritage – no report received.

An Taisce – observation received.

SEA Sensitivity Screening – the following relates to the subject site:

- Record of Monument and Place Dúchas No 017-029 Tower House 'Site Of' is located to the north-east of the site, adjoining the site boundary.
- Roads Proposals – Long Term for Lock Road/R120 Upgrade – Upgrade of existing road from Adamstown to Ballybane – To provide improved access to the Grange Castle employment area.

Submissions/Observations/Representations

No third-party submissions received.

An observation has been received from An Taisce stating that they have examined the file and wish to state that this application should be assessed with regard to the impact on the amenity of the area and the relevant provisions of the South Dublin County Council Development Plan. This observation has been reviewed in full and taken into consideration in the assessment of the application.

Relevant Planning History

Subject site

SD17A/0218

The continuation of use of the following buildings and structures; a prefabricated office (16.0m x 3.8m x 3.0m high); prefabricated canteen facilities (14.0 m x 3.8m x 3.0m high); a water holding

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tank (29.7m x 6.3m); 4 aggregate ground storage bays; a power house (15.9m x 4.0m x 3.6m high); and a weighbridge, all previously permitted for a five year term under P. Reg. Ref. SD12A/0121. **Permission granted.**

SD12A/0121

Continuation of use of the following buildings and structures: a prefabricated office (16.0m x 3.8m x 3.0m high); prefabricated canteen facilities (14.0m x 3.8m x 3.0m high); a water holding tank (29.7m x 6.3m); 4 aggregate ground storage bays; a power house (15.9m x 4.0m x 3.6m high); a weighbridge; all previously permitted for a five year term under planning Register Reference SD07A/0385. **Permission granted.**

SD07A/0385

A prefabricated office; prefabricated canteen facilities; a water holding tank; 4 aggregate ground storage bays; a power house; and a weighbridge, all permitted for a five year term under Reg. Ref. S01A/0652. **Permission granted.**

S01A/0652 & ABP Ref. PL 06S.128709

Implementation of landscaping scheme, 7 ground storage aggregate bays and the Retention of two prefabricated buildings for use as offices and canteen, a water holding tank, a powerhouse, a weighbridge and perimeter landscape berms. **Permission granted by Council. Third party appeal against decision. An Bord Pleanala (ABP) decided to grant permission.**

Adjacent and surrounding sites

SDZ20A/0021

10 year permission for roads and drainage infrastructure works as approved under the Clonburris Strategic Development Zone Planning Scheme (2019) to form part of the public roads and drainage networks providing access and services for the future development of the southern half of the overall Strategic Development Zone (SDZ) land. **Permission granted. This application involves upgrading the junction of the shared access for the subject site.**

Relevant Enforcement History

S1347 Buildings were constructed on site which were not exempted (concrete plant was classed as exempted). Retention permission granted and case closed.

Pre-Planning Consultation

PPSDZ13/21

Permanent continuation of use of the following existing buildings and structures; a prefabricated office (16.0m x 3.8m x 3.0m high); prefabricated canteen facilities (14.0m x 3.8m x 3.0m high); water holding tank (29.7m x 6.3m); 4 no aggregate ground storage bays; power house (15.9m x

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4.0m x 3.6m high); and weighbridge, all previously permitted for a five year period under Pl. Ref. SD17A/0218.

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

Policy ET Rural Economy

Policy TM7 Car Parking

Policy IE1 Water & Wastewater

Policy IE2 Surface Water & Groundwater

Policy IE3 Flood Risk

Policy IE5 Waste Management

Policy IE6 Major Accidents

Policy G1 Overarching

Policy G2 Green Infrastructure Network

Policy G5 Sustainable Urban Drainage Systems

Policy HCL2 Archaeological Heritage

Policy HCL12 Natura 2000 Sites

Policy E3 Energy Performance in Existing Buildings

Section 11.2.7 Building Height

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.24: Maximum Parking Rates (Residential Development)

Section 11.4.3 Car Parking for Electric Vehicles

Section 11.4.4 Car Parking Design and Layout

Section 11.4.5 Traffic and Transport Assessments

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

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Section 11.6.5 Waste Management

Section 11.7.1 Energy Performance In Existing 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).

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

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

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

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

NTA Greater Dublin Area Transport Strategy 2020

Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020, Department of Transport, (2009).

Quarries and Ancillary Activities (2004)

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Archaeological Heritage;
- Previous Permissions;
- Visual Amenity;
- Landscape;
- Traffic, Access and Parking;
- Services and Drainage;
- Environmental Health;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The subject site is zoned 'RU': *'To protect and improve rural amenity and to provide for the development of agriculture'* under the South Dublin County Development Plan 2016-2022. The structures are associated with an existing concrete manufacturing plant. A 'Concrete/Asphalt Plant in or adjacent to a Quarry' is Permitted in Principle under this zoning.

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This is defined in the County Development Plan as ‘*a structure or land used for the purpose of manufacturing concrete, asphalt and related products in or adjacent to a quarry or mine*’. It is noted in this instance that the site is not within nor adjacent to a quarry or mine. However, the development is considered to be generally acceptable in principle under the RU zoning subject to an assessment against other relevant policy.

Archaeological Heritage

The site adjoins Record of Monument and Place Duchas No 017-029 Tower House ‘Site Of’ at the north-eastern boundary. An archaeological assessment of the subject site was required by condition on the original grant of permission, Reg. Ref. S01A/0652 & ABP Ref. PL 06S.128709. Given this and the established use of the site, the proposal is considered acceptable in this instance.

Previous Permission

The development was previously granted under temporary permissions, Reg. Refs. S01A/0652 & ABP Ref. PL 06S.128709, SD07A/0385, SD12A/0121 and SD17A/0218, and now the applicant is looking for permanent permission. Permissions were previously made temporary for reasons including planning for infrastructure upgrades including the M7 and Dublin-Cork railway line. Given the permitted and implemented changes to this infrastructure since these previous permissions, it is considered that temporary permission is not necessary in this instance. This is confirmed also by the SDCC Roads Department.

Visual Amenity

The site is an existing concrete manufacturing facility with associated structures and buildings. It is the associated structures and buildings that are the subject of this application. This includes the prefabricated office and canteen building and weighbridge at the north-eastern corner of the site (within the entrance), power house and water holding tank in the south-western corner, and 4 no. aggregate bays at the north-western corner.

The power house is the tallest of the structures at approx. 3.6m in overall height. It is approx. 16.0m by 4m in size. The prefabricated office and canteen buildings are approx. 3m in height. The office building is approx. 16.0m by 3.8m. The canteen building is approx. 14.0m by 3.8m. The aggregate store bays are up to approx. 5.0m height. The water tank is approx. 1.5m in height, and approx. 29.7m by 6.3m.

The site has existing landscaping and vegetation along the boundaries and is well set back from the R120. Given the setback of the structures from surrounding sites and the R120 and existing landscaping, the proposal is considered to be visually acceptable.

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Landscape

The Public Realm Section has reviewed the proposed development and requests further information in the form of a landscape plan '*that maximises vegetation cover using mixed native tree/hedgerow species around the boundaries of the site, in particular along the southern boundary*'. While this is noted, the landscaping had previously been conditioned and implemented along the boundaries of the site as part of the parent permissions. This is considered sufficient to address these concerns.

Traffic, Access and Parking

There is a Long Term Roads Objective for Lock Road/R120 Upgrade which is described as the 'Upgrade of existing road from Adamstown to Ballybane' – 'To provide improved access to the Grange Castle employment area'. The Roads Department have reviewed the proposed development and have no objections. They note that the Clonburris SDZ Planning Scheme 2019 shows a Proposed Signal Junction where the site access road meets the R120 and Hayden's Lane. The Planning Authority notes that the upgrade of this junction has been permitted under Reg. Ref. SDZ20A/0021.

Services and Drainage

Water Services and Irish Water have reviewed the proposed development and have no objections subject to standard conditions. These reports are noted and should be conditioned as such in the event of a grant of permission.

Environmental Health

The H.S.E. Environmental Health Officer has reviewed the proposed development and request further information:

The Environmental Health Department requires additional information regarding this development to fully assess its impact on the residential amenity of the area.

- *A noise impact assessment, carried out by appropriately qualified acoustician and competent persons, must be submitted in order to assess the potential impact of noise from the continued operation of the development.*

The area off Adamstown Avenue in close proximity to this development is a residential area. There are potential noise impacts as a result of this development. The noise impact assessment must consider potential mitigation measures if deemed necessary.

This report and recommendation are noted. It is also noted that on the previous permission there are conditions relating to restrictions on noise. These previous conditions should apply to this application in the event of a grant of permission. A note should also be added that any new requirements of the H.S.E EHO shall be ascertained.

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Screening for Environmental Impact Assessment

The applicant has included a statement in their cover letter stating that it is considered that neither EIA screening nor an EIAR is required. Having regard to the 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

A Stage 1 Appropriate Assessment (AA) Screening Report has been submitted. This report concludes that there is no requirement to proceed to Stage 2. The Planning Authority notes that the subject site is not located within nor close proximity to a European site. The proposed development comprises of the retention of structures associated with a concrete manufacturing facility. Having regard to the proposed development and its location, and the existing surface water drainage system in place, it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Development Contributions

Continued use of structures associated with a concrete manufacturing facility. No additional area above what has previously been permitted.

SEA monitoring

Building Use Type Proposed: Existing Industrial

Floor Area: No additional area.

Land Type: Brownfield/Urban Consolidation.

Site Area: 2.84 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022,
- the established character of the area, and
- the scale, design and standard of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, 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.

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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 in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully 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. Previous Permission
All conditions attached to the permission granted under Reg. Refs. SD17A/0218, SD12A/0121, SD07A/0385 and S01A/0652/ABP Ref. PL06S.128709 shall apply, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the parent permission.
3. Drainage
 - (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.
 - (c) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.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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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.

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

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REG. REF. SD22A/0007

LOCATION: Kilsaran Concrete, Adamstown, Lucan, Co. Dublin

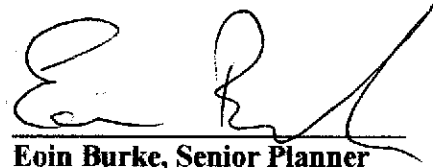
Colm Harte

**Colm Harte,
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:

8/3/22


Eoin Burke, Senior Planner