

Comhairle Chontae Atha Cliath Theas

PR/0306/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0010 **Application Date:** 14-Jan-2022
Submission Type: New Application **Registration Date:** 14-Jan-2022
Correspondence Name and Address: Vincent Murray Design Ltd. Ballythomas,
Rathgormack, Carrick-on-Suir, Co. Waterford
Proposed Development: Change of existing ground floor office and workshop
area to an additional storage area.
Location: Unit 1, M50 Business Park, Ballymount Avenue,
Dublin 12
Applicant Name: Pinewood Healthcare
Application Type: Permission

Description of Site and Surroundings:

Site Area
Stated as 0.44Ha.

Site Description:

The subject site is located within the M50 Business Park on Calmount Road, Dublin 12. The site is bound to the north by the Calmount Road, to the east and west by warehouse units, and to the south by an internal road for the M50 Business Park.

The subject site is comprised of a two-story warehouse unit with ancillary offices and a reception area. There is a delivery vehicles entrance and exit and a parking area located to the south of the unit and a car park to the north of the unit, with a strip of landscaping along the northern boundary with the Calmount Road.

Proposal:

Permission is sought for the following:

- The change of use of an existing office and workshop area (c. 83.8sq.m) at ground floor level to a storage area.
- Internal alterations to the layout to facilitate the proposed change of use, including the installation of racking and a new concrete block wall to enclose the storage area.
- No elevational changes.
- No amendments to the existing Site Layout.

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- All ancillary site works above and below ground.

Zoning

The subject site is subject to zoning objective 'EE' - '*To provide for Enterprise and Employment Related Uses*' under the South Dublin County Council Development Plan 2016-2022.

SEA Dynamic Assessment

No overlap indicated.

Consultations

Drainage and Water Services Section: No objection, subject to conditions.

Irish Water: No objection, subject to conditions.

Roads Section: No objection.

Submissions/Observations /Representations

Final date for submissions/observations – 17th February 2022.

None received.

Recent Planning History

Subject Site

No recent Planning History of particular relevance at the Subject Site.

Adjacent Sites

SD21A/0008 - Unit 1, M50 Business Park, Ballymount Avenue, Dublin 12 (To the west of the subject site)

Change of use of c.12.25sq.m of floorspace within the existing warehouse building on site, from warehouse use to use for the temporary storage of shredded electrical & electronic equipment and components. **Decision:** Grant Permission.

SD15A/0163 - M50 Business Park, Ballymount Avenue, Dublin 12 (To the east of the subject site).

Single storey extension (c.58sq.m) to the north-eastern elevation of existing industrial unit with related alterations to car parking, the addition of 15 photovoltaic panels to the south eastern elevation and amendments to existing signage to the north eastern elevation along with necessary ancillary works and permission for retention of existing smoking shelter (c.3.7sq.m). **Decision:** Permission Granted and Retention Permission Granted.

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Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject scheme.

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

Section 1.12.0 Employment Lands

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 ET2 Enterprise and/or Residential Led Development in Regeneration Zones

It is the policy of the Council to facilitate and support the regeneration of underutilised industrial areas that are proximate to urban centres and transport nodes and to promote and support more intensive compatible employment and/or residential led development in regeneration zones.

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

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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 11.2.1 Design Statements

Section 11.2.4 Regeneration Zone

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

Traffic and Transport Assessment Guidelines, National Roads Authority, (2007)

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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)

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

Regional Planning Guidelines for the Greater Dublin Area 2010-2022, Dublin Regional Authority & Mid-East Regional Authority (2010)

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:

- Zoning and Council policy
- Visual Impact
- Water Services and Drainage
- Roads and Traffic

Zoning and Council Policy

The site is located in an area which is zoned 'EE' - 'To provide for Enterprise and Employment Related Uses'.

The proposed development is for the internal change of use of approximately 83.8sq.m of an established warehouse and does not materially change or detract from the existing land use within the M50 Business Park and is generally consistent with the zoning objectives and policies of the County Development Plan. The proposed development does not adjoin lands associated with a residential dwelling. The internal proposal is of a small scale and appropriate to its surrounding environment and adjoining amenities, as such, subject to compliance with the relevant policies, standards and requirements of the current South Dublin County Council Development Plan, the principle of the development is acceptable at this location.

The subject site falls within the City Edge Project lands, however having regard to the nature and scale of the proposed development there will be no significant compromise to the Emerging Preferred Scenario or Strategic Framework of the City Edge Area at this point in time.

Visual Amenity

The proposed development would have no negative visual impact, having regard to the internal nature of the changes within this established warehouse building, no new external changes are proposed.

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Water Services & Drainage

The Drainage Section and Irish Water have assessed the proposed development and have no objection subject to standard conditions.

Roads and Traffic

The Roads Department have provided a Report in relation to the proposed development which indicates no objection to the proposed development.

Other Considerations

Screening for Environmental Impact Assessment

Having regard to the nature and scale of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature and scale 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.

Development Contributions

Change of Use of existing floor area (c. 83.8sq.m) within an existing Warehouse. No new floor area proposed.

SEA Monitoring Information

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Change of Use of existing floor area within Warehouse	83.8sq.m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.44Ha

Conclusion

Having regard to the 'EE' zoning objective of the site, and the nature and scale of the proposed internal alterations within an existing warehouse building, it is considered that the proposal is acceptable in principle and adheres to the policies and objectives of the South Dublin County Development Plan 2016-2022 and the principles of proper planning and sustainable development.

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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 to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Drainage and Water Services
 - (i) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
 - (ii) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works
 - (iii) All development shall be carried out in compliance with Irish Water's Standards, Codes and Practices in relation to water and wastewater.REASON: In the interest of public health and to ensure adequate drainage and water services.
3. 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.

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REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

4. Construction Noise and Hours.

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

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

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

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

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

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

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

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

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

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

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REG. REF. SD22A/0010

LOCATION: Unit 1, M50 Business Park, Ballymount Avenue, Dublin 12

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:

9/3/22

Eoin Burke

Eoin Burke, Senior Planner