

# Comhairle Chontae Atha Cliath Theas

**PR/0379/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0026      **Application Date:** 01-Feb-2022  
**Submission Type:** New Application      **Registration Date:** 01-Feb-2022

**Correspondence Name and Address:** John Spain Associates 39, Fitzwilliam Place, Dublin 2

**Proposed Development:** Canopy waste compactor/baler on south western elevation and all associated site works on a site under construction and located between Casement Aerodrome and the N7 national route. The proposal amends a previously permitted development under SDCC Reg. Ref. SD20A/0215.

**Location:** Moneenalion Commons Upper, Brownsbarn and Collegeland, Baldonnell Business Park, Dublin 22

**Applicant Name:** MLEU Dublin 2 Limited

**Application Type:** Permission

### **Description of Site and Surroundings:**

#### Site Area

Stated as 11.307 Hectares.

#### Site Description:

The subject site is located within the townlands of Moneenalion Commons Upper and Brownsbarn. The subject site and adjacent lands have permission for a number of warehouse units, some of which are currently under construction. The site is bounded by Casement Military Aerodrome to the north-west, by open agricultural lands to the west, by Baldonnell Business Park to the south-east and by an agricultural field to the north-east. The Camac River runs along the boundary of the site with Baldonnell Business Park.

The buildings within the Baldonnell Business Park are generally large two-storey blocky structures with panel cladding. Runway 05/23 of the aerodrome is located parallel to the north-eastern site boundary. The site is accessed via Clonlara Road, a roadway along the south-eastern boundary which serves the business park.

### **Proposal:**

Canopy waste compactor/baler on south western elevation and all associated site works on a site under construction and located between Casement Aerodrome and the N7 national route. The proposal amends a previously permitted development under SDCC Reg. Ref. SD20A/0215.

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### **Zoning and Development Plan Map:**

The lands are designated 'EE' – to provide for employment and enterprise related uses.

The Site is located within the Department of Defence Inner Zone and noise significant boundary. Part of the site is within the Department of Defence Security Zone.

IE3 SLO:1: To require the preparation of a site and catchment specific Flood Risk Assessment and Mitigation Strategy, prepared by a qualified person(s), to be submitted with any proposal for development on the 'EE' zoned lands and demonstration that the development satisfies all the criteria of the Development Management Justification Test as set out in Table 2.3 of the document titled 'Strategic Flood Risk Assessment for SDCC Development Plan - Detailed Report on Flood Risk in the Baldonnell Area'.

### **SEA Sensitivity Screening**

Indicates overlap with:

- SFRA A layer and SFRA B layer.

### **Consultations:**

*Roads Department:*

No objection.

*Water Services:*

No objection, subject to conditions.

*Parks and Public Realm Department:*

No comments.

*Department of Defence:*

No report received at time of writing.

*EHO:*

No objection.

*Inland Fisheries:*

No objection, subject to conditions.

### **Submissions/Observations /Representations**

None received.

### **Relevant Planning History**

Parent Permission (and amendments) for Unit E

#### **SD21A/0320**

Amendment to previously permitted Ref. SD20A/0215 consisting of signage for Unit E including the provision of, 2 way finding signs located at entrances to Unit E; 2 totem signs located to the west and north of Unit E; 3 halo illuminated signs to the south-western, north-eastern and south-eastern elevations; all associated works.

**Decision:** Grant permission, subject to conditions.

#### **SD20A/0215**

The construction a logistics/warehouse unit (Unit E) southwest of Mountpark Baldonnell Phase 1 and west of the older original Business Park, Unit E will comprise of a GIA 60,747sq.m (including 2,020sq.m of ancillary office space and 4,802sq.m of other ancillary areas); Provide

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for 340 car parking spaces, 22 motorcycle parking spaces and 160 bicycle spaces to serves the proposed development; Flood mitigation works to store and attenuate flood flows from the River Camac; Formations of plateaux on the site with surplus excavated material to allow for future development of Unit F; Access to the site will be from the existing Phase 1 development (referenced above) located on Clonlara Road; amendments to the yard and entrance arrangement for permitted Unit D are proposed (SD19A/0048); All ancillary landscaping, internal roads, associated infrastructure and buildings and site development works to support the development which is primarily greenfield and located between Casement Aerodrome and the N7 national route. The proposal will form part of the second phase of development to that permitted under SD19A/0370 and Phase 1 under SD15A/0309 (ABP Ref. PL06S.246392), as amended by permissions SD17A/0362, SD18A/0266 and SD19A/0048. An Environmental Impact Assessment Report (EIAR) will be submitted to the Planning Authority with the planning application.

**Decision:** Grant permission, subject to conditions.

#### Red Line Site

##### **SD21A/0230**

Construction 2 logistics/warehouse units (Unit F and Unit G amounting to 15,168sq.m GIA in total) south west of Mountpark Baldonnell Phase 1 and west of the older original Business Park; Unit F will comprise a GIA 6,463sq.m (including 568sq.m of ancillary office space), 65 car parking spaces and 20 bicycle spaces; Unit G will comprise a GIA 8,705sq.m (including 608sq.m of ancillary office space) 87 car parking spaces and 28 bicycle spaces; flood mitigation measures as permitted under SD20A/0215 and SD20A/0319 will service the development and are under construction; access to the site will be from the existing Phase 1 development (referenced below) located on Clonlara Road; totem wayfinding signage; all ancillary landscaping, PV panels; internal roads, associated infrastructure and buildings and site development works to support the development at the townlands of Moneenalion Commons Upper, Brownsbarn and Collegeland, Baldonnell Business Park, Dublin 22; the site is primarily greenfield and located between Casement Aerodrome and the N7 national route; the proposal will form part of the second phase of development to that permitted under SD20A/0215, SD19A/0370 and Phase 1 under SD15A/0309 (ABP Ref. PL06S.246392), as amended by permissions SD17A/0362, SD18A/0266 SD19A/0048 and SD20A/0319; an Environmental Impact Assessment Report (EIAR) will be submitted to the Planning Authority with the planning application.

**Decision:** Grant permission, subject to conditions.

##### **SD20A/0319**

Amend permitted logistics/warehouse units C and D and incorporate other amendments, providing for a resultant; Unit C, 7,937sq.m including 757sq.m ancillary office space (permitted 11,492sq.m total); Unit D, 12,050sq.m including 911sq.m ancillary office space (permitted 7, 856sqm total); Overall increase of 639sq.m for Units C and D; provision of maintenance ramp to

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swale; resultant amendments to site layout, minor revisions to flood mitigation strategy, yards, elevations, signage, internal road layout, landscaping, ground works, drainage, gates, fencing, services and utilities and all associated and ancillary site development works at a site at the townlands of Moneenalion Commons Upper, Brownsbarn and Collegeland, Baldonnell Business Park and is located between the Casement Aerodrome and the N7 national route and comprising of amendments to the second phase of development permitted under Ref. SD19A/0370 & SD20A/0215.

**Decision:** Grant permission, subject to conditions.

#### **SD19A/0370**

Construction of two logistics/warehouse units (Unit C & D) southwest of Mountpark Baldonnell Phase 1 and west of the older original Business Park. Unit C will comprise of a GIA 11,492sq.m (including 592sq.m of associated office space); Unit D will comprise of a GIA 7,856sq.m (including 400sq.m of associated office space); provide for 193 car parking spaces and 56 bicycle spaces to serve the proposed development; flood mitigation works to store and attenuate flood flows from the River Camac; formation of plateaus on the site with surplus excavated material to allow for future development; access to the site will be from the existing Phase 1 development located on Clonlara Road; all ancillary landscaping, internal roads, associated infrastructure and site development works to support the development; the site is primarily greenfield and located between Casement Aerodrome and the N7 national route; the proposal will form a second phase of Development to that permitted under SD15A/0309 (ABP Ref. PL06S.246392) as amended by permissions SD17A/0362, SD18A/0266 and SD19A/0048; An Environmental Impact Assessment Report (EIAR) is submitted with the planning application.

**Decision:** Grant permission, subject to conditions.

#### Wider Site

#### **SD21A/0363**

Plant and associated development for the permitted and under construction Unit D (Reg. Ref. SD19A/0370, Reg. SD20A/0215 and Reg. SD20A/0319; works to include 4 air handling units, 2 climate control condensers, 1 transformer, 1 container pump house, 1 sprinkler tank and all associated works including the reduction in car parking by 3 spaces on a site located between the Casement Aerodrome and the N7 national route.

**Decision:** Grant permission, subject to conditions.

#### **SD19A/0048**

Amendments in the vicinity of a permitted bridge as part of a logistics/warehousing scheme permitted under Reg. Ref. SD15A/0309 (An Bord Pleanala Ref. PL06S.246392) as subsequently amended by Reg. Ref. SD17A/0362 and SD18A/0266 as follows: (1) minor relocation of the permitted bridge south and associated permanent diversion of watercourse (Camac); (2) provision of roundabout with interface to existing Business Park Road; (3) resultant amendments

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internal road layout, landscaping, ground works, drainage, services and utilities and all associated and ancillary site development works. A Natura Impact Statement has been prepared in respect of the proposed development and will be submitted with the planning application. (Clonlara Road is located to the south of the site and Casement Aerodrome is located to the north).

**Decision:** Grant permission, subject to conditions.

### **SD18A/0266**

Amendments to the permitted logistics/warehousing scheme under SDCC Ref: SD15A/0309 (An Bord Pleanála Ref. PL06S.246392), as subsequently amended by SDCC Ref. SD17A/0362. The proposed amendments relate primarily to permitted Unit B and Unit C and consist of: (1) Omission of Unit C and provision of enlarged Unit B (increasing from 10,967sq.m GFA to 18,617sq.m GFA) with a height of c. 17.65m including mezzanine level. The previously permitted Units A, B and C resulted in a total of 32,771sq.m. The proposed units A and B result in a total of 29,454sq.m. which results in an overall reduction of 3,317sq.m. GFA. (2) The proposed Unit B incorporates 690sq.m GFA of ancillary office space (a reduction of 386sq.m compared to the combined permitted ancillary office space within permitted Unit B and C). (3) Omission of one vehicular entrance and associated bridge between permitted Unit B and C and replacement with two vehicular entrances and associated bridges to either side of proposed Unit B. (4) Relocation sub-station. (5) Reduction in car parking spaces from 329 to 235; 54 bicycle parking spaces are proposed to service Unit B. (6) Resultant amendments to site layout, yards, elevations, signage, internal road layout, landscaping, ground works, drainage, gates, fencing, services and utilities and all associated and ancillary site development works.

**Decision:** Grant permission, subject to conditions.

### **SD17A/0362**

*Moneenalion Commons Upper, Baldonnel Business Park, Dublin 22*

The development at this 13.4 ha site will consist of amendments to the permitted scheme under South Dublin County Council Reg. Ref. SD15A/0309 (An Bord Pleanála Ref. PL06S.246392) as described in the following: (1) Increase in height of Units A, B & C by 1.95 m to a maximum height of 16.3m; (2) Minor elevational amendments and associated consequential works. Clonlara Road is located to the south of the site and Casement Aerodrome is located to the north.

**Decision:** Grant permission, subject to conditions.

### **SD15A/0309, ABP Ref PL06S.246392 - Moneenalion Commons Upper, Baldonnel Business Park, Dublin 22**

Demolition of existing pre-fab building of 39.4sq.m. The construction of 3 units for light industrial and logistics/warehouse use ranging in size from 10837sq.m to 10967sq.m (with option to subdivide subject to tenant requirements). The GFA of the development is c 32,711sq.m including 1,569sq.m of ancillary office floor space. The development is served by service yards and 329 car park spaces and 73 bicycle spaces. The maximum parapet height of the

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units is 12.65 meters. Access to the site is from Barney's Lane and Clonlara Road and will include new access bridge to Unit B & C. Development to include attenuation measures including detention basin located to the south east of the site. The development also includes 2 substations with internal switch rooms and plant, all site development works, landscaping and associated boundary treatment and all other ancillary works.

**Decision:** Refused by the SDCC for five reasons (all flooding related).

Granted by the Board subject to 17 conditions, following a first party appeal, by order dated 13<sup>th</sup> April 2017.

**S00A/0371** - *Site C, Baldonnell Business Park, Brownsbarn, Co. Dublin.*

Science and technology based enterprise/office based industry development, including landscaping and associated site development comprising 3 no. three storey office blocks with 176 surface car parking spaces.

**Decision:** Grant Permission

**S00A/0144** - *Baldonnell Business Park, Barney's Lane, Brownsbarn, Co. Dublin.*

An E.S.B. Sub-station building with associated site works.

**Decision:** Grant Permission

### **Relevant Enforcement History**

None.

### **Pre-Planning Consultation**

None recorded.

### **Relevant Policy in South Dublin County Council Development Plan (2010-2016)**

*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 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*

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*Section 7.1.0 Water Supply & Wastewater  
Policy IE1 Water & Wastewater*

*Section 7.2.0 Surface Water & Groundwater  
Policy IE2 Surface Water & Groundwater*

*7.3.0 Flood Risk Management  
Policy IE3 Flood Risk*

*IE3 SLO1* To require the preparation of a site and catchment specific Flood Risk Assessment and Mitigation Strategy, prepared by a qualified person(s), to be submitted with any proposal for development on the 'EE' zoned lands and demonstration that the development satisfies all the criteria of the Development Management Justification Test as set out in Table 2.3 of the document titled 'Strategic Flood Risk Assessment for SDCC Development Plan - Detailed Report on Flood Risk in the Baldonnell Area'.

*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*

*7.8.1 Casement Aerodrome  
Policy IE8 Casement Aerodrome*

*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  
Policy E5 Waste Heat Recovery & Utilisation  
Table 11.18: Key Principles for Development within Enterprise and Employment Zones*

*Section 11.2.5 Enterprise and Employment Areas*

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*Section 11.2.8 Signage - Advertising, Corporate and Public Information.*

*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*

### **Assessment**

The main issues for assessment are:

- Zoning and council policy,
- Visual impact,
- Environmental Health
- Access and Roads,
- Landscaping
- Water Services and Drainage,
- Appropriate assessment,
- Environmental Impact Assessment.

### ***Zoning and Council Policy***

The site is located in an area zoned EE – warehousing development with ancillary office use is 'permitted in principle' within the zoning matrix. The proposed development of this Planning Application is for a canopy waste compactor/baler which is ancillary to the permitted logistics structure.

### ***Visual Impact***

#### ***Canopy waste compactor/baler on south western elevation***

The canopy waste compactor/baler would be located on the south-west elevation, but would be situated centrally within the site, adjacent to the existing building and service yard. The proposal would be situated away from the southern site boundary and the River Camac. There is,



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therefore, less of a visual impact. Notwithstanding this, given the scale of the proposal, it would also not have a significant impact.

### ***All associated site works***

It is noted that some changes are proposed to the north west elevation, which involve modification to the fenestration details. Whilst not 'associated' with the proposed canopy waste compactor/baler, they would not have a significant visual impact. This is owing to the scale of the changes and the location facing towards the aerodrome.

In summary, the visual impact of the proposal is acceptable, subject to conditions.

### ***Environmental Health***

The report from the EHO states:

*"The proposed changes are not likely to have any Environmental impact and therefore the Environmental Health Department do wish to raise any objection to the proposal outlined. Standard conditions have been recommended below which cover any potential noise disturbance.*

*The proposal is acceptable to the Environmental Health Department".*

### **Access and Roads**

The Roads Department has reviewed the proposed development and has no objections.

### ***Landscaping***

The Parks and Public Realm Department has reviewed the file and does not wish to make any comments.

### ***Inland Fisheries***

Inland Fisheries Ireland has stated *"IFI have no objection to the addition of Canopy Waste Compactor/Baler on south western elevation but would ask South Dublin County council to consider the following in their appraisal of the application:*

*Resulting baled waste to be stored in a secure bunded location and that there is no potential deleterious materials enter the Camac River either directly or indirectly resulting from any compaction or storage of waste materials".*

The above conditions shall be added to the planning permission.

### ***Services and Drainage***

There are no objections from the Drainage and Water Services Department, subject to standard conditions.

### **Screening for Appropriate Assessment**

On the basis of the information on file, which is considered adequate to undertake a screening

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determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

### **Screening for Environmental Impact Assessment**

A mandatory EIAR is not required by Schedule 5 of the Planning and Development Regulations 2000 (as amended) for this development. 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.

### **Other Considerations**

#### ***Development Contributions***

0sq.m – canopy waste compactor / baler

#### ***SEA Monitoring Information***

**Building Use Type Proposed** canopy waste compactor/baler

**Floor Area (sq. m.)** 0sq.m (plant)

**Land Type** Brownfield/Urban Consolidation

**Site Area (Ha.)** 11.307

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan, the 'EE' land use zoning, the established character of the area and the nature and scale of the proposed development (canopy waste compactor / baler), it is considered that, subject to the conditions set out below, the proposed development would be in accordance with the national and regional policy and the SDCC Development Plan and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **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.

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### **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. Inland Fisheries Ireland.  
Baled waste created by the proposed development shall be stored in a secure banded location. Prior to the commencement of development, the applicant shall submit details of the proposed location for written approval by the Planning Authority.  
REASON: In order to ensure there is no potential deleterious materials entering the Camac River either directly or indirectly resulting from any compaction or storage of waste materials.
3. Development to be in accordance with conditions.  
The development shall be carried out and completed in its entirety in accordance with the conditions attached to SD20A/0125, as amended by SD21A/0320, save as may be permitted under this Planning Application and 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.
4. Drainage.  
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.
5. Minimise Air Blown Dust.  
During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This

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shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

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

### **6. Construction Noise and Hours.**

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

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.

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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.

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**REG. REF: SD22A/0026**

**LOCATION: Moneenalion Commons Upper, Brownsbarn and Collegeland, Baldonnell  
Business Park, Dublin 22**

*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:**

25/3/22

*Eoin Burke*

**Eoin Burke, Senior Planner**