

# Comhairle Chontae Atha Cliath Theas

**PR/0406/22**

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

**Reg. Reference:** SD22A/0029      **Application Date:** 03-Feb-2022  
**Submission Type:** New Application      **Registration Date:** 03-Feb-2022

**Correspondence Name and Address:** Ian Gillespie Sheffield Avenue, Portlaoise, Co. Laois

**Proposed Development:** Widening of the site entrance to provide for a separate lane for the entrance and exit of cars to separate car traffic from heavy good vehicle traffic and associated works at Kilcarberry Business Park, Clondalkin, Dublin 22.

**Location:** Kilcarberry Business Park, Nangor Road, Clondalkin, Dublin 22

**Applicant Name:** Martin Brower Ire. Ltd.

**Application Type:** Permission

(EW)

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

Site visit : 24/03/2022

Site Area: 1.0935 Hectares.

### **Site Description:**

The site is accessed via an internal road along the western site boundary. This boundary is landscaped with maturing hedging and fencing. The subject site contains a large building within the eastern part of Kilcarberry Business Park. A hardstanding yard is located to the west of the building. A portion of the application site is occupied by four tanks and a canopy.

### **Proposal:**

Widening of the site entrance to provide for a separate lane for the entrance and exit of cars to separate car traffic from heavy good vehicle traffic and associated works at Kilcarberry Business Park, Clondalkin, Dublin 22.

### **Consultations:**

*Roads Section –*

*Water Services Department –*

*Irish Water –*

*Parks Department-*

*SEA Sensitivity Screening –*

### **Refuse Permission.**

No objection subject to conditions.

No objection not applicable.

No comments or recommendations

No overlap with list of layers.

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### **Zoning:**

The subject site is subject to zoning objective EE 'To provide for enterprise and employment related use' within the South Dublin County Development Plan 2016-2022.

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

None received.

### **Relevant Planning History**

#### *Subject site*

**SD16A/0418** Permission Granted for the installation of over ground class 3 oil storage tanks and associated ancillary site works.

#### **SD15A/0277**

(Permission for retention refused for the 1) Installation of overground oil storage tanks; (2) underground interceptors, slit trap, flume chamber and associated ancillary site works.

#### **SD05A/0566**

Permission granted for the erection of two ten meter high lattice tower telecommunications support structures, carrying antennae, on the rooftop, for mobile telecommunications purposes.

**Five year permission.**

### **Relevant Enforcement History**

None recorded for subject site.

### **Pre-Planning Consultation**

None for subject application.

### **Relevant Policy in South Dublin County Council Development Plan (2016-2022)**

#### *Section 1.12.0 Employment Lands*

#### *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 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*

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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*

*Section 7.3.0 Flood Risk Management*

*Policy IE3 Flood Risk*

*Section 8.0 Green Infrastructure*

*Policy G1 Overarching*

*Policy G1 Green Infrastructure Network*

*Policy G3 Watercourses Network*

*Policy G4 Public Open Space and Landscape Setting*

*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 11.6.1 (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 11.7.2 Energy Performance in New Buildings*

*Section 11.8.1 Environmental Impact Assessment*

*Section 11.8.2 Appropriate Assessment*

### **Relevant Government Guidelines**

**Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities**, Department of the Environment, Heritage and Local Government (2008).

**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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### **Assessment**

The main issues for assessment are compliance with zoning and Council policy, visual impact, road safety, services and drainage.

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

The site is subject to zoning objective EE to provide for enterprise and employment related uses. The proposed development is associated with the operation of an existing industrial use on site. As such, subject to compliance with the relevant policies, standards the principle of the proposed development is acceptable at this location.

### ***Visual Impact***

The application proposes to open a second new 6m wide vehicular access gate immediately north of the existing vehicular entrance onto the internal Kilcarberry Business Park Road. The proposal will extend the entire vehicular entrance to 17 meters.

It is noted by the Planning Authority that the proposal does not include any elevational drawings or design drawings elements that would allow the assessment of the new gates, and if they would match the existing railing and entrance gates in terms of material, style and colour. The proposed also impacts the existing tree on the grass verge to the immediate west of the site. An internal business park path runs in alignment with the front of the Martin Brower Ireland building entrance across the western path of the business park that would be reduced. A portion of the existing shrubs are proposed for removal for the new entrance.

The site layout plan submitted does not on its own merit accurately reflect the situation on site. It is considered that the design of the proposed gates and how they would integrate with the existing metal railing fence and on the immediate grass verge may have an adverse impact on the visual amenities of the surrounding area. Had the application been otherwise acceptable, this information could have been requested, so as to enable the Planning Authority to adequately assess the impact of the proposed development.

It is noted from a site visit that the proximity of vehicular entrance of the Martin Brower Ireland building is already close to the corner of an internal road and making turning movements into a larger 17m wide entrance of the subject development may introduce safety implications to road and pedestrians users at the existing crossing point. This issue has been addressed in detail below.

### ***Roads***

The Roads Department has recommended a **Refusal** on their report and states the following:

#### **Access & Roads Layout:**

The proposed development would have the potential to increase the risk of accidents to pedestrians, cyclists and all road users. It would be very unclear which road user had priority as

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pedestrians, cyclists, cars and HGVs entered and left the site. This confusion would increase the risks to road and footpath users.

Furthermore, the application is short on detail. There are no dimensions, no proposed lining nor signage, nor a swept-path analysis drawing showing the proposed desire lines for traffic. It is therefore considered that the introduction of an additional entrance at the proposed location would significantly increase the risk of a serious accident occurring and is therefore not acceptable.

Having regard to the recommendations of the Roads Department and essentially seeking to improve the current situation and the safety for pedestrians and road users within the business park, the increase in risk of a serious accident occurring here, it is therefore recommended that permission be refused.

### **TII**

TII has no objections or comments to make on the proposal.

### **Parks and Landscape**

The Parks Department has no objections or comments to make on the proposal.

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

Water Services has reviewed the application and recommends a grant subject to standard conditions.

Irish Water has reviewed the file and has no objections and no recommendations.

### **Development Contributions Assessment Overall Quantum**

The application relates to a new entrance. No contribution required.

### **SEA Monitoring Information**

Building Use Type Proposed:

Floor Area: 0sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 1.0935 Hectares.

### ***Conclusion***

While it is noted that insufficient information has been submitted in relation to the visual impact of the proposed development, having regard to the recommendations of the Roads Department it is clear that the proposed development would increase in risk of a serious accident occurring at the subject site. It is therefore recommended that permission be refused.

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### **Recommendation**

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

### **SCHEDULE**

#### **REASON(S)**

1. The proposed development, through the introduction of an additional entrance to the existing site highly trafficked site, would result in the provision of an unclear and unacceptable site entrance configuration thereby increasing the risk of accidents to pedestrians, cyclists and all road users. It is therefore considered that the proposed development would endanger public safety by reason of the creation of an additional traffic hazard. Furthermore the proposal would contravene TM7 Objective 3 of the South Dublin County Council Development Plan 2016 – 2022: 'To ensure that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape' and would be contrary to the proper planning and sustainable development of the area.

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**REG. REF. SD22A/0029**

**LOCATION: Kilcarberry Business Park, Nangor Road, Clondalkin, 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 Refuse Permission for the above proposal for the reasons set out above is hereby made.

**Date:**

*30/3/22*

*Eoin Burke*  
**Eoin Burke, Senior Planner**