

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0162 **Application Date:** 22-Jun-2021
Submission Type: Significant **Registration Date:** 01-Mar-2022
Additional
Information

Correspondence Name and Address: Sadhbh O'Connor, Thornton O'Connor Town
Planning 1, Kilmacud Road Upper, Dundrum, Dublin
14

Proposed Development: Construction of 2 warehouses with ancillary office and staff facilities and associated development; Unit 1 will have a maximum height of 16.35 metres with a gross floor area of 8,156sq.m including a warehouse area (7,397sq.m), ancillary office areas (362sq.m) and staff facilities (397sq.m); Unit 2 will have a maximum height of 15.35 metres with a gross floor area of 5,990sq.m including a warehouse area (5,031sq.m), ancillary office areas (536sq.m) and staff facilities (423sq.m); vehicular access/egress routes to the subject site via the existing roundabout and access road; alteration to the existing access arrangements to the subject lands to facilitate safe traffic flow to/from the proposed facilities; pedestrian access; 109 car parking spaces; bicycle parking; HGV Parking; HGV yards; level access goods doors; dock levellers; access gates; signage; hard and soft landscaping; lighting; boundary treatments; ESB substation; sprinkler tanks; pump houses; and all associated site development works above and below ground on lands bounded to the south by the N7 Naas Road, to the north and west by the National Distribution Centre and to the east by Brownsbarn Drive and the Royal Garter Stables, a Protected Structure (RPS Ref. 261).

Location: Brownsbarn, Citywest Campus, Dublin 24.

Applicant Name: Exeter Ireland IV B Limited

Application Type: Permission

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

(COS)

Description of Site and Surroundings

Site Area: stated as 4.04 Hectares on the application.

Site Visit: 23rd of July 2021

Site Description

The subject site is located to the north of N7 and is bounded to the north and west by the National Vehicle Distribution Centre and to the east by Brownsbarn Drive and the Royal Garter Stables, a Protected Structure (RPS Ref. 261). The Royal Garter Stables currently has permission to operate as a speciality bicycle retail store. The subject site is currently vacant and is grassed with established vegetation across the site, particularly on the western and northern boundary. A watercourse, identified as a Camac tributary, runs along the western boundary and is heavily vegetated. The ground is largely uneven and drops down from Brownsbarn Drive towards the western boundary.

Proposal

Permission is being sought for the following works:

- The development will comprise of the construction of 2 warehouses with ancillary office and staff facilities and associated development:
 - Unit 1 will have a maximum height of 16.35 metres with a gross floor area of 8,156sq.m including a warehouse area (7,397sq.m), ancillary office areas (362sq.m) and staff facilities (397sq.m);
 - Unit 2 will have a maximum height of 15.35 metres with a gross floor area of 5,990sq.m including a warehouse area (5,031sq.m), ancillary office areas (536sq.m) and staff facilities (423sq.m);
- The development will also include:
 - vehicular access/egress routes to the subject site via the existing roundabout and access road;
 - alteration to the existing access arrangements to the subject lands to facilitate safe traffic flow to/from the proposed facilities;
 - pedestrian access;
 - 109 car parking spaces;
 - bicycle parking;
 - HGV Parking;
 - HGV yards;
 - level access goods doors; dock levellers; access gates;
 - signage;
 - hard and soft landscaping; lighting; boundary treatments;
 - ESB substation; sprinkler tanks; pump houses; and

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

- all associated site development works above and below ground.

Zoning

The subject site is subject to Zoning Objective 'EE': 'To provide for enterprise and employment related uses'.

There is a Road Proposals – 6 Year designation to the north of the subject site (not within the site).

Consultations

Department of Defence (Baldoonell Aerodrome) – observations provided.

Fire Officer – no report received.

H.S.E. Environmental Health Officer – no objections.

Irish Water – further information requested.

The Eastern and Midland Regional Assembly – no report received.

Transport Infrastructure Ireland – observations provided.

Architectural Conservation – no report received.

Heritage – further information requested.

Public Realm – further information requested.

Pollution Control – no report received.

Public Lighting – no report received.

Roads – no objections.

Water Services – no objections.

SEA Sensitivity Screening – Overlap indicated with the Strategic Flood Risk Assessment (SFRA) B flood risk layer. The site also adjoins the site of Protected Structure RPS No. 261 Royal Garter Stables.

Submissions/Observations /Representations

The Department of Defence and Transport Infrastructure Ireland provided responses to the proposed development. These have been addressed in the assessment section of this report.

Relevant Planning History

Subject site

S00A/0602

Revised layout and location of ESB sub-station/refuse area/air handling plant/service enclosures, car parking and associated site development works with access from new interchange on Naas Road at Site 3034/3044, on previously approved permission Register Ref. S00A/0059.

Permission granted.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

SD10A/0010 & ABP Ref. PL06S.236426

Single storey "McDonalds" fast food restaurant (300sq.m.) with drive-through facility and including all associated site development and infrastructural works, road realignment works, landscaping service plant and surface car parking on a site of 0.49 ha. The application also includes for 1 no. Totem sign (internally illuminated), 6 no. internally illuminated signs and 2 no. speaker boxes. **Permission refused by SDCC and An Bord Pleanala. The proposal was refused by ABP for two reasons, firstly, having regard to the zoning objective of the site it was considered that the proposed development, by reason of the generation of non-industrial related traffic movements would contribute to the diminution of the traffic carrying capacity of a national route, would lead to the premature and unacceptable reduction in the level of service available to road users and reduce the benefit from the substantial investment made in the national road network. Secondly, having regard to the nature and scale of the development and associated advertising signs it was considered that it would adversely affect the setting of the protected structure the Royal Garter Stables.**

Adjacent and surrounding sites

Petrol Station and Distributor Roads

SD03A/0084 & ABP Ref. PL06S.204371

Construct a new Petrol Service Station consisting of a new single storey retail shop building, new A.T.M. facility, new forecourt, new underground tank farm, new illuminated canopy, new car wash facility, new trash compound & new tech room, new service bay, new illuminated signage and ancillary works. **Permission granted by ABP.**

SD02A/0377

Site development works consisting of distributor roads from the existing roundabout at the Citywest Interchange and serving the site, surface water, sewers, attenuation pond, diversion of foul sewer, construction of a section of the Boherboy Watermain and other services and to construct filling to raise existing ground levels on lands zoned to provide for industrial and related uses. **Permission granted.**

Protected Structure Royal Garter Stables

SD17A/0324

The refurbishment of 279.4sq.m of existing derelict outbuildings at ground and first floor level for use of the refurbished areas of the outbuildings as a speciality bicycle retail store subsequent to the change of use, Planning Reference SD17A/0131, including the removal of existing asbestos roof, replacement roof structure and finishes and modifications to the existing façade including the insertion of new windows/doors. Permission for use of the refurbished areas of the outbuildings as a speciality bicycle retail store subsequent to the change of use, Planning Reference SD17A/0131. **Permission granted.**

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

SD17A/0131

Change of use from restaurant and public house to use as a speciality bicycle retail store with associated ancillary uses to include repair/servicing workshops, custom fitting facilities and staff and customer facilities, comprising ground floor area of 699.6sq.m and a first floor area of 568.9sq.m. It is to be noted that the current structure on site, which comprises Brownsbarn Bar and Restaurant, is identified as Protected Structure, RPS Ref. 261. **Permission granted.**

Vehicle storage to west and north of subject site

SD17A/0220 & ABP Ref. PL06S.301182

1.512ha area of gravel surfacing to provide outdoor, uncovered vehicle storage for up to 1,878 vehicles. **Permission granted by SDCC. First party appeal to ABP in regard to conditions. ABP decided to attach and remove conditions.**

SD05A/0442 & ABP Ref. PL06S.215245

Site development works to provide storage of motor vehicles (cars & trucks) to include fencing, landscaping / mounds, surfacing, drainage, security hut, lighting masts, CCTV masts.

Permission granted by SDCC. First party appeal to ABP in regard to contributions. ABP decided to attach conditions.

Relevant Enforcement History

None recorded for subject site according to APAS.

Pre-Planning Consultation

None recorded for subject site according to APAS.

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

Section 1.12.0 Employment Lands

Section 4.3.0 Employment Location Categories

Section 4.3.3 Enterprise and Employment (EE) Zoned Lands

Section 7.2.0 Surface Water & Groundwater

Section 8.2.0 Watercourses Network

Section 11.2.5 Enterprise and Employment Areas

Table 11.18 Key Principles for Development within Enterprise and Employment Zones

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 11.23 Maximum Parking Rates (Non-Residential)

Section 11.4.4 Car Parking Design and Layout

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Section 11.4.6 Travel Plans

Section 11.6.0 Infrastructure and Environmental Quality

(i) Flood Risk Assessment

(ii) Surface Water

(iii) SUDS

(iv) Groundwater

(v) Rainwater Harvesting

(vi) Water Services

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 EIA

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).

Design Manual of Urban Roads and Streets, Department of Transport, Tourism and Sport and Department of the Environment, Community and Local Government, (2013).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Architectural Conservation;
- Design and Layout;
- Traffic and Parking;
- Landscaping;
- Heritage;
- Services and Drainage;
- Environmental Health;
- Aviation Safety;
- Appropriate Assessment; and
- Environmental Impact Assessment.

Zoning and Council Policy

The proposed development is consistent in principle with Zoning Objective 'EE': 'To provide for enterprise and employment related uses'. Warehousing is Permitted in Principle under this Zoning Objective. Under the CDP Warehousing is defined as '*A building or part thereof where*

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

goods are stored or bonded prior to distribution and sale elsewhere. It may include the storage of commercial vehicles where this is ancillary to the warehousing function'. **With respect to the use of the warehouse units, the applicant should be requested via Additional Information to submit details regarding the future intended warehouse use. In particular what goods are to be stored onsite.**

Offices 100sq.m – 1,000sq.m in size are Open for Consideration under Zoning Objective EE. In this case, Unit 1's ancillary office areas would be approx. 362sq.m in size and Units 2's would be approx. 536sq.m in size. For Unit 1 the office comprises approx. 4.4% of the area of the unit and for Unit 2 it would be approx. 8.9%. Collectively, the office areas would comprise approx. 6.4% of the overall development. The proposed office accommodation would be ancillary to the warehouse use and is therefore considered to be consistent in principle with the EE zoning.

Architectural Conservation

There is no report from the Architectural Conservation Officer. Notwithstanding this, the Planning Authority has assessed the proposed development in regard to its proximity to RPS No. 261 Royal Garter Stables. This is described under the CDP as 'Stone Stables'. At its closest point Unit 2 would be located approx. 32.0 m from the Protected Structure. The Architectural Heritage Impact Assessment submitted by the applicant states that *'proposed unit 2 would be located outside a line drawn from the south-western corner of the application site, 150 m to the east of the stable structure, the north-western corner of the Royal Garter Stables, thereby ensuring that the view of the end of the stables is unobstructed... it is proposed to provide landscaping along the road frontage...'*

It is noted that Unit 2 is setback approx. 24.9 m to 33.3 m from the southern boundary with Naas Road (N7). The Planning Authority has concerns in regard to the retention of the views of the Protected Structure when approaching it, particularly from the south-west. In front of Unit 2 would be surface car parking, which has the potential to disrupt views and could negatively detract from the setting of this Structure. The photomontages submitted do not provide sufficient information in regard to this. **This should be addressed via Additional Information and where, visual impact will occur, mitigation measures should be proposed this may include the realignment and relocation of Unit 2 on site.**

The southern and eastern elevations of Unit 2, nearest to the Protected Structure, would be comprised of contemporary materials and forms. The unit would be a higher building height than the Protected Structure. While the height and proximity of the unit to the Protected Structure might be acceptable the applicant should ensure that the unit is sensitively designed so as not to detract from the Structure. **The applicant should confirm via Additional Information what**

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

measures have been undertaken to ensure this. If any changes are required these should be identified and a revised proposal submitted.

There is a stone wall along the majority of the site's southern boundary that extends up to the neighbouring stables building. The drawings indicate that the proposed boundary along the southern boundary is Fence Type B, which is an approx. 1.2 m stone wall, seemingly to match the existing stone wall along this boundary and connect with the existing fence at the Protected Structure.

The applicant should liaise with SDCC's Architectural Conservation Officer to discuss the proposed development and any design changes. **If any modifications are required these should be submitted by way of Additional Information.** Any proposed interference with the existing wall will not be looked upon favourably.

Design and Layout

Design

The proposed warehouses would consist of 2 units. Unit 1 would be approx. 8,156sq.m in gross floor area and Unit 2 would be approx. 5,990sq.m in gross floor area. Both units would have a warehouse area, and ancillary office areas and staff facilities provided over three storeys. In terms of overall building height, Unit 1 would be approx. 16.35m in height and Unit 2 would be approx. 15.35m. In principle the proposed heights are considered to be acceptable, subject to measures that mitigate the impact of the development on the protected structure. The height is also compliant with maximum building height limit of 20 m within the Department of Defence Inner Zone.

The proposed materials would be glazing panels and different industrial cladding in different colours including 'grey white', 'anthracite grey' or 'graphite' or equivalent. On the ancillary office accommodation would be curtain wall panels and strip glazing and different colour shades of cladding panel. The use of varying materials and colour would help reduce the bulk, massing and scale of the proposed buildings. The front façade of Unit 2 and the eastern elevations of both units would be the most visible from the public realm. The photomontages submitted by the applicant do not however capture the full picture of the proposed development. **The applicant should be requested to submit additional photomontages. This should include from the N82 bridge and from the Protected Structure. All photomontages should also show the growth in the proposed vegetation over time by providing proposed photomontages for Years 1, 5 and 10.** The applicant should liaise with SDCC's Architectural Conservation Officer to discuss the proposed development and any resulting impact on the setting of the Protected Structure. **If any modifications are required these should be submitted by way of Additional Information.**

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Layout

Unit 1 would be located to the rear of the site approx. 8.5m to 11.25m from the rear (northern) boundary. There would be a separation of approx. 84.0m between the two units. The service yard and HGV loading areas for the units would be relocated to the centre of the site, between the two units. This is considered appropriate given they would be largely screened from the N7.

Landscaping would also help screen these areas from the east. Amenity (seating) areas would be provided to the east and south east of Unit 1 and appear to be accessible to both units. **There is an area of surface car parking to the front of Unit 2 and as advised, in regard to the Protected Structure, this should be reviewed as part of Additional Information and relocated away from the Protected Structure and/or screened.**

A 10m 'buffer' has been proposed along the western boundary, to the east of the stream along this boundary. This is described as a no build zone, and it is proposed to retain the existing vegetation within this. The Planning Authority notes this boundary is significantly vegetated, even beyond 10 m from the stream. G3 Objective 2 of the CDP requires a biodiversity protection zone **of not less than** 10 m from the top of the bank of all watercourses, with the full extent of the protection zone to be determined on a **case by case basis** by the Planning Authority, based on site specific characteristics and sensitivities. Based on the site analysis, and the reports from the Public Realm and Heritage sections, it is considered that in this case 10 m is insufficient to maintain and protect this green corridor, especially having regard to the findings of the Ecological Report. **The Planning Authority should seek via Additional Information for this setback to be reviewed in line with landscape and heritage considerations outlined in the following sections.**

The Site Lighting Services drawing indicates that cables and lighting would be installed along the western side of the proposed units, within the above described 10m buffer. Lighting for the development needs to be cognisance of the impact on the ecology of the site, the neighbouring Protected Structure and the N7. As identified by the Public Realm and Heritage Sections, insufficient information has been provided in regard to bats and other species. **Depending on the results from additional surveys the lighting proposal may need to be revised to appropriately address these concerns. Lighting should be dimmed as much as possible. Potential disturbance to the vegetation buffer and protected species should be addressed.**

No details in regard to the proposed signage have been submitted although it is listed in the statutory description of the development. **The applicant should be requested via Additional Information to confirm if signage is being applied for as part of this permission.** If not, the applicant should be satisfied that any future signage has the relevant planning permission. Any signage should ensure it is cognisance of the neighbouring Protected Structure.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Traffic and Parking

It is proposed to remove the existing roundabout within the site and provide an access road off the existing roundabout to the east of the site to both the subject site and to the neighbouring stables building. Access to the car parking areas for the units would be off this access road, to the north for Unit 1 and to the south for Unit 2. The access road then continues in order to provide separate HGV access for each unit. The stables building would be accessed off the road to the car parking area for Unit 2. Footpaths would be provided along these roads to the units and to the stables building.

Fire tender access has been provided around Unit 1, the material of which is to be open texture Macadam. The Planning Authority has concerns in regard to the use of this material when a more greened material would be more appropriate, especially having regard to the rich biodiversity existing along the entire western boundary. This might include the use of grasscrete or similar proposal. **This should be addressed via Additional Information. Revised cross sections should be required clearly showing any revised materials and associated drainage. It is also noted that access for an emergency fire vehicle is not provided fully around Unit 2 (not on the western side). The applicant should clarify whether fire vehicle access is fully provided for both units as part of Additional Information. If this is required, the applicant should submit revised proposals to relocate and/or reduce Unit 2 away from the western boundary.**

The proposed development would include the provision for 109 no. car parking spaces and 48 bicycle parking spaces. 59 of the car parking spaces would be provided for Unit 1 and 50 spaces for Unit 2. The Roads Department have reviewed the proposed development and have no objections to the proposed parking spaces. Under the CDP the maximum car parking requirement for the development would be 82 for Unit 1 and 60 for Unit 2 (142 spaces in total). The proposal provides for 77% of the maximum requirement overall, and 72% for Unit 1 and 83% for Unit 2. The CDP requirement is a maximum limit and therefore the proposed quantity is considered to be in compliance.

Of these car parking spaces 7 would be mobility impaired spaces. The applicant has indicated 10% of the total car parking spaces would have Electric Vehicle infrastructure. The location of these EV spaces is not indicated on the proposed drawings and should be agreed with the Planning Authority prior to construction as a condition.

Under the CDP the minimum bicycle parking requirement for the proposed development is 41 for Unit 1 and 30 for Unit 2 (71 in total). The Roads Department has stated that due to the limited cycling infrastructure in the area the proposed quantity is feasibly appropriate. The

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Planning Authority considers that due to the use of the site for warehousing this provision of bicycle parking is considered to be generally compliant.

It is noted that Table 11.25 of the CDP outlines the thresholds for the submission of a Workplace Travel Plan. Due to the size of the proposed units and the proposed under supply of bicycle parking, a Workplace Travel Plan Statement is required for each unit. **The applicant should be requested to submit these via Additional Information.** This would also help confirm if the proposed parking numbers are appropriate.

The Roads Department has reviewed the proposed development and states no objection subject to the following conditions:

1. *Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.*
2. *All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.*
3. *Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.*
4. *Prior to commencement a Public Lighting Design for the development must be submitted and agreed by the Public Lighting team of SDCC.*
5. *Any road sign proposed and or to be installed shall comply with most up to date Chapter 5 (REGULATORY SIGNS) of the Traffic Signs Manual.]*
6. *Bicycle and pedestrian routes within the development must conform to Table 11.22: Minimum Bicycle Parking Rates– SDCC County Development Plan 2016-2022.*
 - a. *The minimum width of footpaths shall be 1.8m wide to aid mobility impaired users.*
 - b. *All external bicycle parking spaces shall be covered.*
 - c. *Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.*

In the event of a grant of permission the above recommended conditions should be included as such.

Transport Infrastructure Ireland provided:

In the case of the above planning application, the Authority will rely on your planning authority to abide by official policy in relation to development on/affecting national roads as outlined in

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities (2012), subject to the following:

The proposed development shall be undertaken in accordance with the recommendations of the Transport (Traffic) Assessment and Road Safety Audit submitted. Any recommendations arising should be incorporated as Conditions in the Permission, if granted. The developer should be advised that any additional works required as a result of the Transport Assessment and Road Safety Audits should be funded by the developer.

Any recommendations from these reports that have not already been incorporated into the proposed development should be conditioned as such in the event of a grant of permission.

Landscaping

As stated the existing western buffer is not considered to be sufficient. Policy G3 Objectives 2 and 5 and IE2 Objective 9 of the CDP require the protection of corridors such as that located along the western boundary. There is significant vegetation along the watercourse, and it is necessary in this case to consider an ecological protection zone wider than 10 m. It is also noted that no above ground, natural SuDS measures are proposed. **Given the site's existing environment the applicant should be requested to review the proposal and incorporate above ground, natural surface water drainage measures into the design, in accordance with Policies and Objectives contained within Chapters 7 and 8 of the current County Development Plan.**

The Public Realm Section has reviewed the proposed development and requests further information:

- 1. Arboricultural Impact of the Proposed Development*
The tree survey, impact assessment and protection measures do not include the young locally important immature woodland edge, WS2, in the west of the site or the trees close to the northern and north-eastern boundaries adjacent to the site. The tree survey, arboricultural impact assessment and tree protection measures should take note of these tree groups and incorporate measures in the arboricultural impact assessment to make sure there is no impact on these trees, e.g. positioning of storage areas/bunds etc. Every effort should be made to retain existing trees and woodlands where possible. Mitigation planting to ensure net gain. ADDITIONAL INFORMATION
- 2. Impact of Development Blue-Green Infrastructure/SuDS*
The Public Realm Section consider that the proposed development is contrary to Policy G5 -Sustainable Urban Drainage Systems and Objectives G5 1 and G5 2 in the County Development Plan. The applicant should be requested to:
- 3. revisit the design and layout of the proposed development and demonstrate how the development will comply with these policies and objectives.*

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

4. *submit revised plans and particulars addressing item 1 and demonstrate how natural SuDS features can be incorporated into the design of the proposed development. The SuDS should be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement. The applicant shall show further proposed SuDS features for the development such as Green roofs, SuDS tree pits, channel rills, swales, permeable paving and other such SuDS and show what attenuation capacity is provided by such SuDS. SuDS could be incorporated into measures to retain the woodland edge WS2 for example. The revised plans should incorporate:*
 - I. *more trees to break up the car park hard standing areas in the North East We require a tree every 5 parallel and 2 perpendicular car park spaces ensuring 5m separation from lighting columns. All car park trees and trees adjacent to hard standing should incorporate SuDS tree pits.*
 - II. *A landscape section through the northern boundary. ADDITIONAL INFORMATION*
5. *Bat Survey*

We note that a preliminary bat roost survey was carried out in February 2021 and a review of JBA/NBDC records within 2km and 10km was carried out. The applicant is requested to submit a bat roost survey and a bat activity survey for bat usage for the entire site and immediately adjoining sites during summer period when bats are active. The applicant should provide a site-specific assessment of the potential impact on these species arising from the proposed development. This is to be undertaken by a qualified and experienced bat expert at the appropriate time of the year for the survey of species.

ADDITIONAL INFORMATION
6. *Boundary Details*

The applicant is requested to provide details of Fence Type A and B and of fencing types along all boundaries. A boundary plan is required clearly stating what fencing/boundary wall treatments are to be provided. ADDITIONAL INFORMATION
7. *Visual impact of the proposed development.*

A photomontage should be provided of a view straight into the site from the Naas Road. The applicant should assess if screening along this boundary is sufficient and propose appropriate measures if not/augment proposed screening with further measures.

ADDITIONAL INFORMATION

Summary

The proposed development in its current configuration will introduce significant hard infrastructure to a greenfield site having an effect on the existing trees, woodland planting and associated biodiversity and ecology within the development site area. This proposed development would materially contravene policy G5 Objective 1 other GI policies and objectives in the County Development Plan.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

The Public Realm Section is requesting that the applicant alter the layout of the proposed development in order to ensure the integration of natural Sustainable Urban Drainage features that incorporate amenity and biodiversity and strengthen green infrastructure. Further information is also required in relation to tree protection, bats, visual impact and boundary treatment.

The above concerns should be addressed via Additional Information.

Heritage

The Ecological Impact Assessment submitted with the application identifies a potential inactive otter holt located in the south-west corner of the site, along the right bank of the Camac tributary, and a potential inactive Badger sett was also located in the north-west corner of the proposed site, within the mixed broadleaved woodland habitat. The Planning Authority, along with the Heritage Officer, does not consider sufficient information has been provided to confirm whether these are inactive. It is also noted the time at which this survey and the other ecological surveys were not undertaken at the appropriate time of year. **This should be addressed by way of Additional Information. This should inform the revision of the biodiversity protection zone along the western boundary.**

While the site is not within or near an area of archaeological potential, it is located in close proximity to a Protected Structure and is a green field site which has remained untouched for many years, where the original stone walls and water course remains in situ. **It is therefore considered prudent in this instance to seek an archaeological assessment by way of Additional Information.**

The Heritage Officer has reviewed the proposed development and requests further information: *I have reviewed the ecological report submitted as part of the application SD21A/0162 and make the following comments:*

- *The ecological Assessment was undertaken in February 2021 at a time of the year which is inappropriate for the assessment of many ecological elements including habitat surveys, breeding bird surveys, and bat surveys. This is of significant concern as the full ecological resource on the site, and its contribution to green infrastructure links through this area has consequently not been fully assessed.*
- *A potential Badger sett (with two entrances) and a potential otter holt was recorded along the stream on the western boundary. Further detailed assessment is required to determine the usage of these mammal resting places and appropriate mitigation measures are necessary to either avoid or minimise impact on these species. The applicant is advised that derogation licenses may be required from National Parks and Wildlife Services in respect of disturbance to these species.*

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

- *The applicant is advised that the Camac River (and potentially its tributaries) are a known location for Freshwater Crayfish, a species which is protected under both Irish law and the EU Habitats Directive. An assessment of the stream on the western boundary for this species would be required in order to ensure sufficient mitigation is in place to protect this and other aquatic species.*
- *It is considered that the development as currently proposed encroaches too closely to the stream on the western boundary. A more appropriate setback from this important ecological feature is required, in order to provide sufficient protection of protected species and biodiversity in general.*

Recommendations: I recommend that Additional information be requested as follows:

- *A more detailed assessment of the ecology present on the proposed development site and commuting through the site is requested. This more detailed survey is to be undertaken during the appropriate season for the assessment of habitats, breeding birds, Freshwater Crayfish, and bats.*
- *A redesign of the proposed development is requested, to allow for a greater setback from the stream on the western boundary. Otter can range up to 20m from rivers and streams through the type of habitat currently present on the site. Given the protection afforded to this species, a greater setback from the stream is required than currently proposed.*
- *Also, I recommend that an archaeological assessment of the site be prepared as part of this request for Additional Information.*

It is recommended that the applicant addresses these concerns by way of Additional Information.

Services and Drainage

Water Services has reviewed the proposed development and has no objection subject to the following:

Surface Water Report: No objection subject to:

1.1 Prior to commencement of development the applicant shall submit a drawing showing that proposed buildings are setback a minimum distance of 4.5m from existing 450mm surface water drainage sewers traversing the site to the north and south. The applicant may obtain a map showing indicative locations of existing surface water drainage infrastructure on the site by contacting servicemaps@sdublincoco.ie.

Flood Risk Report: No objection:

- *The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*
- *All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.*

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

- *All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

The Water Services report is noted, however, having regard to the Public Realm report, Heritage report, and relevant Council policy the proposed surface water infrastructure is considered to be insufficient and should be addressed via Additional Information.

Any revisions to the proposed development should take into account the required minimum distance of 4.5m from existing 450mm surface water drainage sewers traversing the site to the north and south.

Irish Water has reviewed the proposed development and requests further information as follows:

1. Water

In order to assess the feasibility of a connection to public water infrastructure further information is requested as follows;

The applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Reason: In the interest of public health and to ensure adequate water facilities.

2. Foul

In order to assess the feasibility of a connection to public waste water infrastructure further information is requested as follows;

The applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public waste water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Reason: In the interest of public health and to ensure adequate waste water facilities.

It is recommended that the applicant addresses these concerns by way of Additional Information.

Environmental Health

The H.S.E. Environmental Health Officer has reviewed the proposed development and finds it acceptable subject to the following conditions:

- 1. No heavy / noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the*

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

construction site before 07:00 hours on weekdays and 09:00 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 work outside of these hours shall only be permitted following a written request to the Planning Authority and 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 unwanted noise outside the hours stated above.

2. *Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the vicinity.*
3. *During the construction / 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.*
4. *A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.*
5. *The applicant shall put in place a pest control contract for the site for the duration of the construction works.*
6. *The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.*
7. *Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A).*
8. *Clearly audible or impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.*
9. *Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.*
10. *Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.*

The report from the Environmental Health Officer is noted and the above would be conditioned in the event of a grant of permission.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Aviation Safety

The subject site is located within the Department of Defence Inner Zone Limit. This Zone includes specific requirements, including in regard to building height, which has previously been addressed in this report. The Department of Defence has been consulted on the proposed development and they stated the following observations:

1. *Given the proximity to Casement Aerodrome, operation of cranes should be coordinated with Air Corps Air Traffic Services, no later than 28 days before use, contactable at airspaceandobstacles@defenceforces.ie or 01-4037681.*
2. *Due to the proximity to Casement Aerodrome, appropriate bird control measures will need to be taken during construction to mitigate the risk to Air Corps flight operations.*

The report is noted and the above addressed by way of condition in the event of a grant of permission.

Screening for Appropriate Assessment

The applicant has provided a Screening for Appropriate Assessment report from JBA Consulting. This report identifies that 10 Natura 2000 sites are located within the 15km (plus hydrological connectivity extension) Zone of Influence (ZoI) of the proposed development. The potential adverse impacts from the proposed development that were identified as could cause a significant effect on the Qualifying Interests of a Natura 2000 site via surface water, groundwater and land and air pathways. It was found that due to the proposed site's natural riparian filter buffer, appropriate operational drainage systems, and its proximity to Natura 2000 sites within the ZoI, impacts via surface water, ground water and land pathways to Natura 2000 sites are not anticipated. Given this, it was considered that there cannot be any cumulative or in-combination impacts.

Additional Information is required as advised above, which would assist the Planning Authority in determining screening for Appropriate Assessment. This includes further information on the intended warehouse use.

Screening for Environmental Impact Assessment

Having regard to the information submitted as part of the planning application, the nature and extent of the 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.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Conclusion

Having regard to the:

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

it is considered that **Additional Information** is required to ensure that the proposed development would be in compliance with Council policy, would not seriously injure watercourses, biodiversity, and visual amenity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

Request Further Information.

Further Information

Further Information was requested on the 13th of August 2021.

Further Information was received on the 4th of February 2022.

It was deemed that the information received contains significant further information and therefore new statutory notices were required.

Revised statutory notices were published and submitted to SDCC on the 1st of March 2022.

Further Information Consultations

Commission for Regulation of Utilities – no report received.

Department of Defence (Baldoon Aerodrome) – no report received.

H.S.E. Environmental Health Officer – no report received.

Irish Water – no objection subject to conditions.

Transport Infrastructure Ireland – observation received.

An Taisce – observation received.

Architectural Conservation Officer – no objection subject to conditions.

Heritage Officer – verbal report received 22nd of March 2022.

Public Realm – no objection subject to conditions.

Public Lighting – no report received.

Roads Department – no objection subject to conditions.

Water Services – no objection subject to conditions.

Waste Management – no report received.

Submissions/Observations /Representations

No third party submissions received.

An Taisce has submitted an observation stating that the application should be assessed with regard to impact on the amenity of the area and the relevant provisions of the South Dublin

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

County Council Development Plan particular care being taken to see that the ambiance of the Protected Structure is not affected by the works.

Transport Infrastructure Ireland have submitted an observation advising that the Authority's position remains as set out in their letter of the 23rd of July 2021. This stated that they will reply on the planning authority to abide by official policy relating to development on/affecting national roads and recommend a condition that the recommendations of the Transport (Traffic) Assessment and Road Safety Audit be implemented.

These observations have been reviewed in full and taken into consideration in the assessment of the further information received.

Assessment

Item 1 Requested

The application describes the units as warehouse units, however, it is unclear what type of goods are to be stored and distributed from the site. The applicant is requested to submit details regarding the future intended warehouse use. In particular what goods are to be stored onsite. This information would assist in the screening for Appropriate Assessment.

Assessment:

The applicant has submitted a response stating that owing to the speculative nature of the development, it is not possible to provide the definitive nature of the goods to be stored on site as tenants for both units are yet to be secured. They state that this is the regular approach with regard to the development of warehouse buildings. This is considered to be acceptable in this instance. It is therefore considered that this item has been satisfactorily addressed.

Item 2 Requested

The Planning Authority has concerns in regard to the potential impact of the proposed development on the neighbouring Protected Structure RPS No. 261 Royal Garter Stables. This includes the retention of the views of the Protected Structure when approaching it from the south-west. In front of Unit 2 would be surface car parking, which has the potential to disrupt views and could negatively detract from the setting of this Structure. The applicant is requested to review the area to the front of Unit 2 in regard to impact on the views of the Protected Structure. While the height and proximity of Unit 2 to the Protected Structure might be acceptable the applicant should ensure that the unit is sensitively designed so as not to detract from the Structure. The applicant should confirm what measures have been undertaken to ensure this. If any modifications are required these should be identified and a revised proposal submitted. The applicant should liaise with SDCC's Architectural Conservation Officer on this item.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Assessment:

The proposed development has been revised so that Unit 2 is rotated 90 degrees and further setback from the Protected Structure. At the closest point Unit 2 would be approx. 60.0 m from the Protected Structure (increase from previously proposed 32.0m setback). The ground level of this unit has also been reduced so that the overall parapet height is reduced from approx. 116.2m AOD to 115.7 m AOD. SDCC's Architectural Conservation Officer has reviewed the further information submitted and finds the development now acceptable subject to conditions:

Appraisal

A request for Further Information was issued by the Planning Authority and under Item 2 the applicant was advised to liaise with the Councils Architectural Conservation Officer with regard to the potential impact of the proposed development in such close proximity to a Protected Structure (Garter Stables). The undersigned was contact directly by the conservation consultant engaged by the applicant.

The following detailed advice was provided as emailed on the 29th November 2021;

"The site is in close proximity to the adjacent site to the Protected Structure (Garter Stables). This building is a landmark structure along the Naas Road and any new building proposed within the adjacent site will have to be considerate of the existing protected structure and its setting. The views on approach along the Naas Road to Dublin are important as this is when a full sense and appreciation of the stable building is provided.

I note that revisions have been made as detailed, in providing a slightly reduced floor area and increased landscape area on the western side of the proposed units. The revisions are welcomed, however the units are still substantially large and therefore the visual impact on the adjacent protected structure is still apparent. There are no images showing how the new unit along the Naas Road on approach to Dublin will be viewed and I have concerns that the views of Garter Stables will be highly reduced and will cause an overall negative impact on the protected structure.

As they stand, the two units completely dominate and consume the stable building given their overall scale and mass. The overall design of the two units provides a massive block form which does not assist in reducing the visual impacts. I feel that very little effort has been made to reduce the visual impacts from a design view point and although the floor area has been slightly reduced and increased landscaping area provided, unfortunately is not enough to reduce the overall visual impacts and the sense of encroachment on the protected structure.

I would advise that more needs to be done looking at the design of the units, their placement within the site and how the mass and form of the new units can be reduced. The use of materials and how different design elements could be adapted to assist with reducing the scale of the new units i.e. finishes, colour, breaking up the elevations and height, set-back etc. should be looked at, along with the views of the protected structure on approach to Dublin along the Naas Road

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

and the visual space and views from the protected structure in addressing the sense of encroachment, direct visual impacts and how the proposed units are currently dominating the entire site and the adjacent site of the Protected Structure”.

Assessment of Further Information Submission –

A response to RFI request Item 2 has been submitted. It should be noted that the proposed development has been subject to modifications to address the matters raised in the RFI. The modifications are shown on the plans and particulars submitted. Key changes have been made in order to address the visual impact and concerns that the proposed development initially submitted would result in negative visual impacts and a sense of encroachment on the Protected Structure.

The changes are detailed as follows; -

- The floor area of the proposed warehouse Unit 3 has been reduced to provide an increased landscape area along the western boundary.

- The alignment of the proposed warehouse Unit 2 has been rotated 90 degrees in order to provide a greater separation distance to the proximity of the Protected Structure (Garter Stables).

- The area of landscaping to the south has been augmented with a significant increase in planting.

- The ground level of Unit 2 has been reduced by 500mm which reduces the parapet level and will support the reduction of impact of the height of the structure relative to the adjacent Protected Structure.

It is considered that significant amendments have been made to the proposed Warehouse Units by way of reducing the direct visual impact and sense of encroachment on the existing Protected Structure. By rotating the Unit 2 a greater level of separation has now been achieved from the Protected Structure, thereby reducing the direct visual impact and impacts on existing views from Garter Stables and site lines on approach along the Naas Road. Photomontages have been provided in support of the revised changes and to show the proposed planting to assist with minimising the visual impacts of the proposed development.

Recommendation

Based on the above and assessment of the proposed modifications to the proposed development, it is considered that the proposed development is now considered acceptable, with the following conditions attached to any grant of permission:

- 1. It is considered that the proposed development should be carried out in accordance with the particulars and drawings submitted as per the RFI as revised proposals.
Reason: To ensure the amended proposal is carried out as indicated in the drawings and particulars submitted.*

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

- 2. It is considered that a more suitable colour palette should be examined with regard to colours that would assist in minimising the landscape setting and visual impact, in particular the elevations viewed from the Protected Structure site. A Schedule of materials and finishes should be provided for the proposed new Warehouse Units taking into account the visual aspects. Details should be submitted prior to commencing development by way of confirming final material finishes and colours for agreement. Reason: To ensure the final materials and colour palette achieves a coherent finish within the site context and adjacent to a Protected Structure Site in providing a suitable colour which can assist in continuing to minimise visual impacts.*

It is therefore considered that this item has been satisfactorily addressed subject to conditions.

Item 3 Requested

A 10 m 'buffer' has been proposed along the western boundary, to the east of the stream along this boundary. This is described as a no build zone, and it is proposed to retain the existing vegetation within this. The Planning Authority notes this boundary is significantly vegetated, even beyond 10m from the stream. Based on the site analysis, and the reports from the Public Realm and Heritage sections, it is considered that in this case 10m is insufficient to maintain and protect this green corridor. The applicant is requested to review and extend this buffer significantly eastwards having regard to the protection of the existing vegetation along this boundary and of protected species (based on additional site surveys). The proposed lighting plan should be revised with regard to this buffer and the results of the ecological surveys and relocated away from the western ecological area.

Assessment:

The applicant has submitted a revised proposed development that provides a further setback from the stream along the western boundary. Some of the measurements provided on the submitted drawings appear to be from within the watercourse. As opposed to from the top of the bank as specified by G3 Objective 2 of the County Development Plan. Regardless, a buffer would be provided with a minimum extent of approx. 14.5m at the closest point from the development (turning circle to the rear of Unit 2). The submitted landscaping proposals indicate proposed native tree and shrub planting to supplement the existing vegetation along the stream. The proposed lighting plan has also been revised.

The Heritage Officer has advised that they have no objection to the revised proposal subject to a condition that requires that prior to the commencement of development a lighting plan that accounts for bats is submitted for agreement. This is noted and should be conditioned in the event of a grant of permission. The revised proposal has therefore addressed the concerns relating to this item. It is considered that this item has been satisfactorily addressed subject to conditions.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Item 4 Requested

Table 11.25 of the South Dublin County Development Plan 2016-2022 outlines the thresholds for the submission of a Workplace Travel Plan. Due to the size of the proposed units both being over 2,500sqm, a Workplace Travel Plan Statement is required for each unit.

Assessment:

The applicant has submitted Outline Workplace Travel Plans for both Units 1 and 2. These plans will help encourage the use of sustainable travel modes. The Roads Department have reviewed the further information submitted and have no objection subject to conditions:

- 1. Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.*
- 2. All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.*
- 3. Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.*
- 4. Prior to commencement a Public Lighting Design for the development must be submitted and agreed by the Public Lighting team of SDCC.*
- 5. Any road sign proposed and or to be installed shall comply with most up to date Chapter 5 (REGULATORY SIGNS) of the Traffic Signs Manual.]*
- 6. Bicycle and pedestrian routes within the development must conform to Table 11.22: Minimum Bicycle Parking Rates– SDCC County Development Plan 2016-2022.*
 - a. The minimum width of footpaths shall be 1.8m wide to aid mobility impaired users.*
 - b. All external bicycle parking spaces shall be covered.*
 - c. Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.*
- 7. The applicant shall provide 5% of vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging points, REASON: In the interest of sustainable transport.*

It is therefore considered that this item has been satisfactorily addressed.

Item 5 Requested

The Planning Authority requests the following in regard to surface water:

(a) It is noted that no above ground, natural SuDS measures are proposed. Given the site's existing environment, the applicant is requested to review the proposal and incorporate above ground, natural surface water drainage measures into the design. The applicant shall show

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

further proposed SuDS features for the development such as Green roofs, SuDS tree pits, channel rills, swales, permeable paving and other such SuDS and show what attenuation capacity is provided by such SuDS. The revised plans should incorporate:

I. More trees to break up the car park hard standing areas in the North East. A tree every 5 parallel and 2 perpendicular car park spaces is required ensuring 5m separation from lighting columns. All car park trees and trees adjacent to hard standing should incorporate SuDS tree pits.

II. A landscape section through the northern boundary.

(b) The Planning Authority has concerns in regard to the use of the proposed material open texture macadam for the fire tender access and car parking areas when a more greened material would be more appropriate. This might include the use of grasscrete or similar. The applicant is requested to submit revised proposals for 'greened' pathway solutions and submit revised cross sections clearly showing any revised materials and associated drainage.

(c) It is also noted that access for an emergency fire vehicle is not provided fully around Unit 2 (not on the western side). The applicant should clarify whether fire vehicle access is fully provided for both units. If this is required, the applicant is requested to submit revised proposals to relocate and/or reduce Unit 2 away from the western boundary.

Assessment:

(a) Above ground SuDS have been proposed in the form of:

- Green roof on the office building element of Unit 2,
- Grasscrete for parking bays and fire tender access,
- Irrigation tree pits across the car park, and
- Other measures including trapped road gullies, restricted discharge silt trap and petrol interceptor, water butts and permeable paving.

The applicant states that in the vast majority of instances a tree, greened or planted area would now be provided every 5 parallel car parking spaces with a 5m separation from lighting columns. They state all car park trees and trees adjacent to hard standing would incorporate SuDS tree pits.

Section E-E provides a section through the northern boundary. The submitted landscape details indicate that existing trees along the northern boundary would be retained. However, the site boundary does not extend to include the existing trees and vegetation, along the boundary of the neighbouring National Vehicle Distribution Centre to the north. The landscaping proposals indicate native tree planting with native shrub understorey would be planted along the site's northern boundary. This is acceptable.

The Public Realm Section has reviewed the information submitted and has no objection subject to conditions:

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

1. Landscape Plan

The submitted landscape plan (Dwg. No. ENO-JBAI-XX-XX-DR-L-002) prepared by JBA Consulting is in principle acceptable to the Public Realm Section and shall be implemented in full within the first planting season following completion of the development.

2. Arboricultural Impact Assessment Report

The recommendations and mitigation measures contained within the submitted Arboricultural Impact Assessment Report and associated Arboricultural Method Statement/Tree Protection Strategy shall be implemented in full by the applicant.

3. SUDS

The SuDS elements proposed (As per Drainage Design Report submitted by Kavanagh Burke Consulting Engineers) for the subject site include:

- Tree Pits*
- Permeable Paving*
- Green Roof*
- Grasscrete paving*

Further detail shall be submitted by the applicant as regard to the implementation, maintenance and future management of the SUDS features proposed. In addition, the current proposed drainage system needs to be developed further in order to sustainably manage surface water through a natural hydrological regime or SUDS scheme within the development. The philosophy of SUDS is an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and habitat/biodiversity enhancement. Additional SuDS that should be considered for the SHD development include:

- Bio retention systems*
- Infiltration systems*
- Tree pits*
- Channel rills*
- Green area detention basins*
- Additional swales*

The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:

1. Implementation of the Landscape Plans

The Landscape Plan (Dwg. No. ENO-JBAI-XX-XX-DR-L-002 & other associated plans) prepared by JBA Consulting shall be implemented in full within the first planting season following completion of the development, in addition:

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

- *All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan.*
- *All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).*
- *All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 "Trees in Relation to Design, Demolition and Construction – Recommendations".*
- *Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted*

CONDITION

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement, creation and management of biodiversity with relevant policies in the CPD 2016-2022.

2. Retention of Landscape Architect

To ensure full implementation of the proposed landscape design, the applicant/developer is required to retain the services of a Landscape Architect throughout the life of the site development works. A completion certificate is to be signed off by the Landscape Consultant when all works are completed and in line with the submitted original landscape drawings.

CONDITION

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022.

3. Tree works

All works shall be carried out in accordance with BS5837:2012 Trees in relation to design, demolition and construction. If, during construction, it becomes apparent that further works or changes are required, work shall not progress any further on site until the applicant has secured a site meeting with a suitably qualified professional to agree the details and phasing of any tree surgery works not detailed in the submitted report. A written schedule shall be submitted to and approved in writing by the Public Realm Section.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

4. SUDs

No development shall take place until details of the implementation; maintenance and management of the proposed sustainable drainage scheme have been submitted to and approved by the Public Realm Section. These details shall include:

- i. Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals for the catchment in the residential areas.*
- ii. Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development including drainage / attenuation calculations for same.*
- iii. Natural Suds measures should be detailed to remove/ reduce the requirement for underground attenuation tanks in line with the development plan objectives*
- iv. A drawing to show how surface water shall be attenuated to greenfield run off rates.*
- v. Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed.*
- vi. SUDs Management - The applicant is requested to submit a comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.*
- vii. a timetable for its implementation*

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2

5. Tree and Hedgerow Protection Measures

*All measures pertaining to Tree Protection contained within the submitted Arboricultural Impact Assessment Report prepared by Arbor-Care Ltd shall be implemented in full by the applicant. The tree protective barriers should consist of a scaffold framework (As recommended by BS 5837:2012 - Trees in relation to Construction - Recommendations Figure 2. Protective Barriers). The tree and hedgerow protection measures shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details and shall be maintained and retained until the development is completed. Within the root protection areas, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered. **CONDITION***

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

6. Tree Bond and Arboricultural Agreement

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €72,961.00 with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the construction period.

The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

*An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy. **CONDITION***

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

Water Services has reviewed the further information submitted and has no objection subject to conditions including:

Prior to commencement of development the applicant shall submit a drawing showing that proposed buildings are setback a minimum distance of 4.5m from existing 450mm surface water drainage sewers traversing the site to the north and south. The applicant may obtain a map showing indicative locations of existing surface water drainage infrastructure on the site by contacting servicemaps@sdublincoco.ie.

These reports are noted and should be conditioned as such in the event of a grant of permission.

(b) The use of open texture macadam has been reduced. Grasscrete would be provided in car parking areas and for fire tender access. Permeable paving is proposed for the disability car parking spaces and internal road space. The documentation and drawings have been updated to reflect this.

(c) Unit 2 has been revised so that it has been rotated 90 degrees and the access around this building amended. The applicant has submitted a rationale (Fire Tender Access Document) for

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

providing 75% access to Unit 2. They confirm the proposal is in compliance with the Building Regulations Part B Fire Safety Table 5.1 – Vehicle Access to Buildings. The Roads Department advise that they find this acceptable.

In summary, it is therefore considered that Item 3 has been satisfactorily addressed subject to conditions.

Item 6 Requested

The applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water supply and waste water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

Assessment:

The applicant has submitted a pre-connection response from Irish Water in relation to water supply and wastewater drainage. This advises that the proposed connection can be facilitated at this moment in time. It is noted that the proposed wastewater connection is connecting to Irish Water infrastructure through third party infrastructure not owned by Irish Water. Prior to connection a letter from the third party owner is required confirming that the applicant has permission to connect to this infrastructure, it has sufficient capacity and is of sufficient integrity to take the connection. Irish Water have reviewed the further information submitted and have no objection subject to conditions relating to connection agreements.

It is therefore considered that this item has been satisfactorily addressed.

Item 7 Requested

(a) A more detailed assessment of the ecology present on the proposed development site and commuting through the site is requested. This more detailed survey is to be undertaken during the appropriate season for the assessment of habitats, breeding birds, Freshwater Crayfish, and bats.

(b) The applicant is requested to submit a bat roost survey and a bat activity survey for bat usage for the entire site and immediately adjoining sites during summer period when bats are active.

(c) The applicant is requested to provide a site-specific assessment of the potential impact on these species arising from the proposed development. This is to be undertaken by a qualified and experienced bat expert at the appropriate time of the year for the survey of species.

Assessment:

A revised Ecological Impact Assessment prepared by JBA Consulting dated 28th of January 2022 and Response to Item 7 prepared by Enviroguide Consulting dated February 2022 have been

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

submitted as further information. Bat activity surveys were carried out by JBA Ecologists in September 2021. A White-clawed Crayfish survey was undertaken by JBA Ecologists onsite in October 2021.

The subsequent surveys picked up signs of Otter habitation. While no White-clawed Crayfish were recorded onsite, spraints found onsite indicated that this Crayfish form part of the local Otter population diet. The additional bat surveys recorded bat activity. The Ecological Impact Assessment recommends several mitigation measures for during construction and operation. These mitigation measures should be conditioned in the event of a grant of permission. It is noted that the retention of habitats along the watercourse would help mitigate any impacts. Supplementary native hedgerow and tree planting is proposed along the boundaries.

SDCC's Heritage Officer has reviewed the submitted documentation and has no objection subject to the mitigation measures being adhered to and a condition that the applicant/developer liaise with them to determine the appropriate species for the proposed wildflower meadows. The lighting plan should be agreed as condition to ensure that any impact on bats would be mitigated. This is noted and should be conditioned.

It is therefore considered that this item has been satisfactorily addressed.

Item 8 Requested

The applicant is requested to prepare and submit an archaeological assessment of the site. While the site is not within or near an area of archaeological potential, it is located in close proximity to a Protected Structure and is a green field site which has remained untouched for many years, where the original stone walls and water course remains in situ.

Assessment:

An Archaeological Assessment prepared by IAC Archaeology has been submitted. This report states that the site has been subject to development and disturbance over time. They state there may be an adverse impact on previously unrecorded archaeological features or deposits that have the potential to survive beneath the current ground level. The report recommends mitigation measures in relation to monitoring. Conditions along these lines should be included in the event of a grant of permission. It is therefore considered that this item has been satisfactorily addressed.

Item 9 Requested

No details in regard to the proposed signage have been submitted although it is listed in the statutory description of the development. The applicant is requested to confirm if signage is being applied for as part of this permission. If not, the applicant should be satisfied that any future signage, and proposed lighting thereof, has the relevant planning permission. Any

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

signage, and associated lighting, should ensure it is cognisance of the neighbouring Protected Structure and ecology found on the site.

Assessment:

The applicant has stated that no signage is proposed as part of the subject application. Should signage be required, they state that a subsequent planning application will be lodged at a later date. A condition should be added in the event of a grant of permission that requires planning permission to be sought for proposed signage. This item has therefore been satisfactorily addressed.

Item 10 Requested

The applicant is requested to provide details of Fence Type A and B and of fencing types along all boundaries. A boundary plan is required clearly stating what fencing/boundary wall treatments are to be provided. The applicant should note that interference with the existing stone wall would not be acceptable to the Planning Authority.

Assessment:

A boundary plan drawing (Drawing No. D3-2 PL1) has been submitted. Fence Type A would be an approx. 2m high paladin fence. This fence type would largely be used internally around the yards and between the two units. Fence Type B is the existing stone wall, along the southern boundary with the N7. This stone wall is to be retained. It is therefore considered that this item has been satisfactorily addressed.

Item 11 Requested

The applicant is requested to submit additional photomontages (and revised photomontages due to potential changes to the proposal) to capture the full visual impact of the proposed development. These should include from the N82 bridge, from the neighbouring Protected Structure and a view straight into the site from Naas Road (N7) and the site as seen from a south-west and north-east view from the N7. All photomontages should also show the growth in the proposed vegetation over time by providing proposed photomontages for Years 1, 5 and 10. The applicant should assess if screening along the southern boundary is sufficient and propose appropriate measures if not/augment proposed screening with further measures.

Assessment:

The applicant has submitted 5 additional photomontages. This includes from along Naas Road (N7), N82 bridge and from the Protected Structure. The photomontages show the growth in vegetation for years 1, 5 and 10. These show that the visual impact of the proposed development has improved as a result of the revisions. Less bulk would appear along the N7, and landscaping would help screen the buildings.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

The units would be sufficiently setback from the Protected Structure. Given its location Unit 2 would not significantly block the view of the Protected Structure when approaching from the east along the N7. The unit would be largely screened by the Protected Structure when viewed from the west along N7 and from the N82 bridge. As stated above the SDCC Architectural Conservation Officer has also confirmed that the revised proposal is acceptable subject to conditions. It is therefore considered that this item has been satisfactorily addressed.

Appropriate Assessment Screening

Appropriate Assessment Screening is provided at the end of this report. This finds that a stage 2 Appropriate Assessment is not required.

Summary:

It is considered that the further information items have been satisfactorily addressed subject to conditions. A grant of permission with conditions should therefore be issued.

Development Contributions

Warehouse Unit 1 = 7,742sq.m

Warehouse Unit 2 = 6,163sq.m

4 HGV parking spaces = 241.5sq.m

SEA monitoring

Building Use Type Proposed: Warehouse development

Floor Area: 13,905sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 4.04 Hectares.

Appropriate Assessment Screening

Table 1: Description of the project and site characteristics

Planning File Reference	SD21A/0162
Brief description of the project	Construction of 2 no. warehouses
Brief description of site characteristics	The site is grassed with established vegetation across the site, particularly on the western and northern boundary. A watercourse, identified as a Camac tributary, runs along the western boundary and is heavily vegetated. The ground is largely uneven and drops down from Brownsbarn Drive towards the western boundary.
Application accompanied by a NIS Y/N	N

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Table 2: Identification of European Sites which may be impacted by the project

European Site	List of Qualifying Interest/ Special Conservation Interest	Distance from proposed development (m/km)(approx.)	Connections (Source-Pathway-Receptor)	Considered further in screening Y/N
Glenasmole Valley SAC	3 Qualifying Interests CO001209.pdf (npws.ie)	5.5 km	No	No
Wicklow Mountains SAC	13 Qualifying Interests ConservationObjectives.rdl (npws.ie)	6.8 km	No	No
Wicklow Mountains SPA	2 Qualifying Interests CO004040.pdf (npws.ie)	9.9 km	No	No
South Dublin Bay SAC	4 Qualifying Interests ConservationObjectives.rdl (npws.ie)	15.2 km	Indirect hydrological pathway via proposed foul and surface water networks.	Yes
South Dublin Bay and River Tolka Estuary SPA	14 Qualifying Interests ConservationObjectives.rdl (npws.ie)	15.2 km	Indirect hydrological pathway via proposed foul and surface water networks.	Yes

Table 3: Assessment of Likely Significant Effects

Identify all potential direct and indirect impacts (alone or in combination) that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project:	
Likely Impacts	Possible Significance of Impacts (duration, magnitude etc.)
Construction phase e.g. <ul style="list-style-type: none"> • Vegetation clearance • Demolition • Surface water runoff from soil excavation/infill/landscaping (including borrow pits) • Dust, noise, vibration 	During the construction stage there is the potential for surface water run-off. However, the hydrological connection to the Dublin Bay sites is indirect and weak. The construction phase would not result in significant environmental impacts that could affect European Sites within the wider

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive’s Order

<ul style="list-style-type: none"> • Lighting disturbance • Impact on groundwater/dewatering • Storage of excavated/construction materials • Access to site • Pests 	<p>catchment area.</p>
<p>Operational phase e.g.</p> <ul style="list-style-type: none"> • Direct emission to air and water • Surface water runoff containing • contaminant or sediment • Lighting disturbance • Noise/vibration • Changes to water/groundwater due to • drainage or abstraction • Presence of people, vehicles and activities • Physical presence of structures • (e.g. collision risks) • Potential for accidents or incidents 	<p>Foul and surface water would ultimately lead to the Dublin Bay sites. Surface water would firstly be managed onsite as much as possible. The hydrological connections are indirect and weak, and the separation distance is significant, such that there is no real likelihood of any significant effects on European Sites in the wider catchment area.</p>
<p>In-combination/Other</p>	<p>All extant developments are similarly served by urban drainage systems and the WWTP and have been screened out for appropriate assessment. No likely significant in-combination effects are identified.</p>

<p>Are ‘mitigation’ measures necessary to reach a conclusion that likely significant effects can be ruled out at screening?</p>
<p>Yes No X</p>

Table 4: Screening Determination Statement

<p>Assessment of significance of effects:</p>
<p>Describe how the proposed development (alone or in-combination) is/is <u>not likely</u> to have <u>significant</u> effects on European site(s) in view of its conservation objectives.</p>
<p>On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:</p>

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive’s Order

<ul style="list-style-type: none"> • the nature and scale of the proposed development, • the intervening land uses and distance from European sites, • the lack of direct connections with regard to the Source-Pathway-Receptor model, <p>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.</p>		
Conclusion:		
	Indicate (X)	Recommendation
It is clear that there is no likelihood of significant effects on a European site	X	The proposal can be screened out. Appropriate assessment not required.
It is uncertain whether the proposal will have a significant effect on a European site		Request further information to complete screening Request NIS Refuse permission
Significant effects are likely		Request NIS Refuse permission
Completed by	COS	
Date	25/03/2022	

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022,
- the established character of the area, and
- the nature and scale 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.

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.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

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, and as amended by Further Information received on the 4th of February 2022, 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. Materials, Finishes and Colours
Prior to the commencement of development the applicant/developer shall submit revised materials, finishes and colours for the warehouse units for the written agreement of the Planning Authority, following consultation with SDCC's Architectural Conservation Officer.
REASON: To ensure the final materials and colour palette achieves a coherent finish within the site context and adjacent to a Protected Structure Site in providing a suitable colour which can assist in continuing to minimise visual impacts.
3. Irish Water Connection Agreement.
Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.
REASON: In the interest of public health and to ensure adequate water/wastewater facilities.
4. Drainage
 - (a) Prior to commencement of development the applicant/developer shall submit a drawing confirming that proposed buildings are setback at least 4.5m from existing 450mm surface water drainage sewers traversing the site to the north and south. The applicant/developer may obtain a map showing indicative locations of existing surface water drainage infrastructure on the site by contacting servicemaps@sdublincoco.ie.
 - (b) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (c) There shall be complete separation of the foul and surface water drainage systems,

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(d) 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. Lighting

Prior to the commencement of development, the applicant/developer shall agree in writing an integrated Lighting scheme and Landscape Plan with the Planning Authority, following consultation with SDCC's Heritage Officer, Public Realm Section and Public Lighting team if required. This lighting plan should ensure any impact on bats is mitigated.

REASON: In the interests of protection of bats, public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.

6. Implementation of the Landscape Plans

The Landscape Plan (Dwg. No. ENO-JBAI-XX-XX-DR-L-002 & other associated plans) prepared by JBA Consulting shall be implemented in full within the first planting season following completion of the development, in addition:

- All hard and soft landscape works shall be completed in full accordance with the approved Landscape Plan.
- All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
- All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations'.
- Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted

REASON: To ensure that the development makes provision for hard and soft landscaping which contributes (i) to the creation of a high quality, accessible, safe and attractive public realm and (ii) to the enhancement.

7. SUDS

Prior to the commencement of development the applicant/developer shall submit details of the implementation, maintenance and management of the sustainable drainage scheme for the written agreement of the Planning Authority, following consultation with SDCC's

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Public Realm and Water Services Sections if required. These details shall include:

- (i) Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposals.
- (ii) Demonstrate how the proposed natural SUDS features will be incorporated and work within the drainage design for the proposed development including drainage / attenuation calculations for same.
- (iii) Natural SUDS measures should be detailed to remove/ reduce the requirement for underground attenuation tanks in line with the development plan objectives.
- (iv) A drawing to show how surface water shall be attenuated to greenfield run off rates.
- (v) Submit a drawing to show what SuDS (Sustainable Drainage Systems) are proposed.
- (vi) A comprehensive SUDS Management Plan to demonstrate that the proposed SUDS features have reduced the rate of run off into the existing surface water drainage network. A maintenance plan should also be included as a demonstration of how the system will function following implementation.
- (vii) A timetable for its implementation.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies under Section 8.4.0 Sustainable Urban Drainage Systems of the CDP 2016-22 in particular G5 Objective 1 and G5 Objective 2.

8. Retention of Landscape Architect

To ensure full implementation of the proposed landscape design, the applicant/developer is required to retain the services of a Landscape Architect throughout the life of the site development works. A completion certificate is to be signed off by the Landscape Consultant when all works are completed and in line with the submitted original landscape drawings.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022.

9. Retention of Ecologist – Implementation of Ecological Protection and Enhancement Measures.

(a) Prior to the commencement of development, the applicant/developer shall engage the services of a Professional Member of the Chartered Institute of Ecological and Environmental Management, who is an independent, qualified ecologist, as an Ecological Clerk of Works, for the entire period of construction activity.

(b) The applicant shall inform the Planning Authority in writing of the appointment and name of the consultant, prior to commencement of development.

(c) The Ecological Clerk of Works shall ensure the implementation of all of the proposed measures in JBA Consulting's Ecological Impact Assessment dated the 28th of January 2022 (Revision Ref A3-C05) are implemented.

(d) Prior to the commencement of development, the applicant/developer shall submit a schedule of the flora species for the wildflower meadows for the written agreement of the

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

Planning Authority, following consultation with SDCC's Heritage Officer.

REASON: In the interests of biodiversity and to ensure full and verifiable implementation of the approved proposed ecological mitigation and enhancement measures.

10. Tree works

All works shall be carried out in accordance with BS5837:2012 Trees in relation to design, demolition and construction. If, during construction, it becomes apparent that further works or changes are required, work shall not progress any further on site until the applicant has secured a site meeting with a suitably qualified professional to agree the details and phasing of any tree surgery works not detailed in the submitted report. A written schedule shall be submitted to and approved in writing by the Public Realm Section.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

11. Tree and Hedgerow Protection Measures

All measures pertaining to Tree Protection contained within the submitted Arboricultural Impact Assessment Report prepared by Arbor-Care Ltd shall be implemented in full by the applicant/developer. The tree protective barriers should consist of a scaffold framework (As recommended by BS 5837:2012 - Trees in relation to Construction - Recommendations Figure 2. Protective Barriers). The tree and hedgerow protection measures shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures shall be implemented prior to the commencement of any development, site works or clearance in accordance with the approved details and shall be maintained and retained until the development is completed. Within the root protection areas, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

12. Tree Bond and Arboricultural Agreement

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €72,961.00 with the Planning Authority. This is to ensure the protection of trees on and immediately adjacent to the site to make good any damage caused during the

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

construction period.

The bond lodgement shall be coupled with an Arboricultural Agreement, with the developer, empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree/hedgerow or trees/hedgerows on or immediately adjoining the site, or the appropriate and reasonable replacement of any such trees/hedgerows which die, are removed or become seriously damaged or diseased within a period of three years from the substantial completion of the development. Any replacement planting shall use large semi-mature tree size(s) and species or similar as may be stipulated by the planning authority.

An Arboricultural Assessment Report and Certificate is to be signed off by a qualified Arborist after the period of 3 years of completion of the works. Any remedial tree surgery, tree felling works recommended in that Report and Certificate shall be undertaken by the developer, under the supervision of the Arborist. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

REASON: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

13. Roads

(a) All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.

(b) Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.

(c) Any road sign proposed and or to be installed shall comply with most up to date Chapter 5 (REGULATORY SIGNS) of the Traffic Signs Manual.]

(d) Bicycle and pedestrian routes within the development must conform to Table 11.22: Minimum Bicycle Parking Rates– SDCC County Development Plan 2016-2022.

(e) The minimum width of footpaths shall be 1.8m wide to aid mobility impaired users.

(f) All external bicycle parking spaces shall be covered.

(g) Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.

(h) The applicant shall provide 5% of vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging points.

REASON: In the interest of sustainable transport.

14. Archaeological Monitoring, Recording and Reporting

(a) The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

(b) Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.

(c) The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

15. Environmental Health

(a) No heavy / noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 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 work outside of these hours shall only be permitted following a written request to the Planning Authority and 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 unwanted noise outside the hours stated above.

(b) Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the vicinity.

(c) During the construction / 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.

(d) A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.

(e) The applicant/developer shall put in place a pest control contract for the site for the duration of the construction works.

(f) The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.

(g) Noise due to the normal operation of the proposed development, expressed as Laeq

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A).

(h) Clearly audible or impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

(i) Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.

(j) Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.

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

16. Casement Aerodrome.

(a) The operation of cranes shall be coordinated with Air Corps Air Traffic Services, no later than 28 days before use, contactable at airspaceandobstacles@defenceforces.ie or 01-4037681.

(b) The applicant/developer shall implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.

REASON: In the interests of aviation operation and safety.

17. Restrictions on Signage.

Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the development or within the curtilage of the site, unless authorised by a grant of planning permission.

REASON: To protect the visual amenities of the area and in the interest of the proper planning and sustainable development of the area.

18. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €1,375,643.82 (one million three hundred and seventy five thousand six hundred and forty three euros and eighty two 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 contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

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

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: 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.

Comhairle Chontae Atha Cliath Theas

PR/0399/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD21A/0162

LOCATION: Brownsbarn, Citywest Campus, Dublin 24.

Colm Harte

**Colm Harte,
Senior Executive Planner**

Eoin Burke

**Eoin Burke,
Senior 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: 28/03/2022

Mick Mulhern

**Mick Mulhern, Director of Land
Use, Planning & Transportation**