

Comhairle Chontae Atha Cliath Theas

PR/0563/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0033 **Application Date:** 04-Feb-2022
Submission Type: Additional **Registration Date:** 06-Apr-2022
Information

Correspondence Name and Address: Barry Lyons, Kruger Lyons Ltd. Unit 202, Citywest Business Centre, 3013 Lake Drive, Citywest, Dublin 24

Proposed Development: Retention permission and continuation of use of a former double height warehouse within their building as 426.6sq.m of office use, over two floors as well as all associated and ancillary elevation changes.

Location: Unit 3-4, Crag Avenue Business Park, Clondalkin Industrial Estate, Dublin 22

Applicant Name: Circet Networks (Ireland) Ltd.

Application Type: Retention

(CS)

Description of Site and Surroundings:

Site Area: 0.045 Hectares.

Site Description:

The subject site is situated in Crag Avenue Business Park in Clondalkin Industrial Estate. The surrounding uses in the immediate vicinity are characterised as industrial in nature and the area is zoned under Objective EE to provide for enterprise and employment related uses.

Proposal:

The proposed development consists of the following:

- Retention and continuation of use of former double height warehouse within the building as 426.6sq.m. of office use over two floors.
- Retention of associated and ancillary elevational changes.

Consultations:

Roads Department: **Additional Information** recommended or **conditions** to be attached if granting.

Surface Water Drainage: No objection, subject to **conditions**.

Irish Water: No objection subject to **conditions**.

Parks Department: No comments or objections following review.

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SEA Sensitivity Screening

No overlap identified with relevant environmental layers.

Submissions/Observations /Representations:

None.

Relevant Planning History:

SD19A/0255: Retention of: (i) change of use of part of ground floor warehouse area to reception area, canteen and wc's; (ii) curtain glazing and door at ground floor and windows at first floor level and double height glazed entrance lobby. Permission for: (i) ground floor lobby and wc's; (ii) extension of first floor mezzanine to provide open plan office and storage area.

Decision: **GRANT PERMISSION & GRANT RETENTION.**

Adjacent sites

S00A/0834: Unit 3 Crag Avenue.

Retention and completion of the three block light industrial unit to the rear of unit 3, approved under Planning Ref. No. S98A/00908.

Decision: **GRANT PERMISSION.**

SD15A/0170: Crag Avenue, Clondalkin Industrial Estate, Dublin 22.

Provision of a waste transfer station for the importation and temporary storage of inert soil and stone, construction & demolition waste and green waste (garden & park waste), associated with the company's principal business activities. The imported materials will be segregated and recycled for onward reuse. The proposed development requires a Certificate of Registration under the Waste Management (Facility Permit and Registration) Regulations 2007 & 2008.

Decision: **GRANT PERMISSION.**

SD14A/0110: Crag Avenue Business Park, Clondalkin Industrial Estate, Clondalkin, Dublin 22.

Retention of use of yard as a refuse transfer station for construction and demolition waste associated with the operations of the company, subject to waste facility licence; retention of prefabricated structures on the site that are used as garages, stores and offices associated with the operation of the facility and retention of wash shed.

Decision: **GRANT PERMISSION FOR RETENTION.**

S00A/0561: Unit 5 & 6 Crag Avenue Business Park, Clondalkin.

Alterations to the rear, front elevations and for the construction of a new external fuel tank and generator compound area to the front.

Decision: **GRANT PERMISSION.**

SD06A/1095: Site adjoining Cappoquinn Chicken, Unit 3, Crag Avenue, Clondalkin Industrial Estate, Clondalkin, Dublin 22.

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Construction of Elba Werk concrete batching plant, wheel wash facility, aggregate storage area, Bibko RWS concrete washer plant, underground settlement tank, demolition of sheds on site and removal of south eastern corner of Cappoquinn building to improve existing vehicular access to site and associated works on a site of 0.184 hectares.

Decision: **GRANT PERMISSION.**

Relevant Enforcement History:

None recorded for subject site.

Pre-Planning Consultation:

None recorded.

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

Section 1.12.0 Employment Lands

Policy ET3 Enterprise and Employment (EE)

It is the policy of the Council to support and facilitate enterprise and employment uses (hightech manufacturing, light industry, research and development, food science and associated uses) in business parks and industrial areas.

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

Section 7.5.1 Waste and Resource Policy and Legislation

Policy IE5 Waste Management

7.7.0 Environmental Quality

Policy IE6 Environmental Quality

Section 8.0 Green Infrastructure

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

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Section 9.3.1 Natura 2000 Sites
Policy HCL12 Natura 2000 Sites

Section 10.0 Energy
Policy E4 Energy Performance in New Buildings
Policy E5 Waste Heat Recovery & Utilisation
Table 11.18: Key Principles for Development within Enterprise and Employment Zones

Section 11.2.1 Design Statements
Section 11.2.5 Enterprise and Employment Areas

Section 11.4.2 Car Parking Standards
Table 11.23: Maximum Parking Rates (Non Residential)
Section 11.4.4 Car Parking Design and Layout
Section 11.4.6 Travel Plans

Section 11.6.1 (i) Flood Risk Assessment
Section 11.6.1 (ii) Surface Water
Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)
Section 11.6.1 (iv) Groundwater
Section 11.6.1 (v) Rainwater Harvesting
Section 11.6.1 (vi) Water Services
Section 11.6.3 Environmental Hazard Management
Section 11.6.3 (i) Air Quality
Section 11.6.3 (ii) Noise
Section 11.6.3 (iii) Lighting
Section 11.6.4 Major Accidents – Seveso Sites
Section 11.6.5 Waste Management

Section 11.8.1 Environmental Impact Assessment
Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines:

***Project Ireland 2040 National Planning Framework**, Government of Ireland, (2018).*

***Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly**, Eastern and Midland Regional Assembly, (2019).*

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

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

Assessment:

The main issues for assessment are compliance with:

- Zoning and Council policy,
- Visual Impact,
- Access and Parking,
- Services and Drainage,
- Screening for Appropriate Assessment (AA),
- Screening for Environmental Impact Assessment (EIAR),

Zoning and Council Policy

The site is located in an area zoned Objective 'EE' – 'to provide for enterprise and employment related uses'. The land use zoning matrix for objective 'EE' lists warehousing and office-based industry as 'permitted in principle'. Offices of 100sq.m.–1000sq.m. are 'open for consideration'. The principle of retention and continuation of use of the warehouse for office purposes and changes to elevations on the subject site is generally considered to be acceptable, subject to visual impact, access and parking and services and drainage which will be assessed below.

Visual Impact

The warehouse building is an existing two storey double commercial unit in a row of similar units with a gable fronted composite cladding façade at first floor level and a forticrete blockwork externa finish at ground floor level.

The retention and continuation of use of the former double height warehouse within the building as 426.6sq.m. of office use over two floors is considered to be acceptable and is not considered to have any significant adverse visual impact.

The retention of associated and ancillary elevational changes is considered to be acceptable and is not considered to have any significant adverse visual impact.

Overall, it is considered that the development fits in with the character of the area and will not adversely impact on the visual amenities of the area.

Access and Parking

The file was referred to the Roads Section and a report was received recommending **Additional Information** be requested or conditions to be attached in the event of a grant of permission.

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An extract taken from the Roads report states the following:

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.

Description

Retention permission and continuation of use of a former double height warehouse within their building as 426.6sq.m of office use, over two floors as well as all associated and ancillary elevation changes.

The applicant has provided a rational for the quantity of parking available, the roads department require the location of the parking to be identified.

*Roads recommend that **additional information** be requested from the applicant:*

1.The applicant is requested to submit a revised layout of not less than 1:100 scale the location and number of parking spaces to be provided at the development. Please refer to Table 11.23: Maximum Parking Rates (Non-Residential) – from the SDCC County Development Plan 2016-2022.

2.(a).The applicant is requested to submit a revised layout not less than 1:100 scale showing the bicycle parking within the development. Please refer to Table 11.22: Minimum Bicycle Parking Rates– SDCC County Development Plan 2016-2022.

2(b).All external bicycle parking spaces shall be covered.

*Should the permission be granted, the following **conditions** are suggested:*

1. 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.

Following further consultation with the Roads Section it was advised that the subject site is within Zone 1 (General rate applicable throughout the County). Therefore, the maximum car parking for 426m² of office space would be 9 for zone 1. A minimum of 4 bicycle parking spaces should be provided for and they should be covered and secure. As the applicant has not indicated any car parking or bicycling parking provision it is considered appropriate to request the above **Additional Information**.

Services and Drainage

Surface Water Drainage and Irish Water have reviewed the file and note no objections subject to conditions. It is considered appropriate to attach these conditions in the event of a grant of permission.

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Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

Screening for Environmental Impact Assessment

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

Other Considerations

Development Contributions

- Retention and continuation of use of former double height warehouse within the building as 426.6sq.m. of office use over two floors.
- Assessable area is 426.6sq.m

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Warehousing & Office Use	426.6
Land Type	Site Area (Ha.)
Enterprise and Employment	0.045 ha

Conclusion

Request Additional Information.

Recommendation

Request further information

Further Information

- Further Information was requested on 31/03/2022.
- Further Information was received on 06/04/2022.

No submissions/observations on the further information have been made.

The following Further Information was requested.

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Item 1: Car Parking Provision.

The applicant is requested to submit the following information regarding car parking and bicycle parking provision:

(1) a revised layout of not less than 1:100 scale the location and number of parking spaces to be provided at the development. Please refer to Table 11.23: Maximum Parking Rates (Non-Residential) – from the SDCC County Development Plan 2016-2022.

(2) a revised layout not less than 1:100 scale showing the bicycle parking within the development. Please refer to Table 11.22: Minimum Bicycle Parking Rates– SDCC County Development Plan 2016-2022. All external bicycle parking spaces shall be covered and secure. The subject site is located within Zone 1 (General rate applicable throughout the County). Therefore, the maximum car parking for 426sq.m of office space would be 9 for Zone 1. A minimum of 4 bicycle parking spaces should be provided for and they should be covered and secure.

Further Consultations

Roads Section – No objections subject to **conditions**.

Further Submissions/Observations

None received.

Assessment

Item 1: Car Parking Provision.

The applicant has submitted a cover letter and revised drawings in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

Further to your letter of the 31st March 2022 please find to follow and enclosed our client's response to the points raised.

Car Parking: As noted on our original documentation there are currently many parking spaces available immediately in front of the building for the exclusive use of the tenants. In accordance with Table 11.23 of the SDCC County Development Plan 2016-2022 our client is required to provide a maximum of 9 spaces for their use. These spaces highlighted in a blue outline on Drawing 21.05-P-011 which accompanies this submission.

EV Charging Stations: Our clients also lease the units to the North. To facilitate staff of both offices they provided 2 No. EV parking spaces and these are also noted on Drawing 21.05-P-011.

Bicycle Parking: In accordance with Table 11.22 (Minimum Bicycle Parking Standards) of the SDCC County Development Plan 2016-2022 our client is required to provide secure, covered parking for 4 Bicycles. There is an existing Smoking structure in front of the units see photo below.

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Figure 1 -- Existing Smoking structure

We are proposing to extend the structure in the same construction between the structure and the existing buildings to provide covered parking for 4 No. Bicycles. See Drawing 21.05-P-011 which accompanies this submission. This space will be secure as it is directly outside the windows of the offices in the adjacent units (also under our clients control) which will provide passive surveillance of the structure and there is CCTV Coverage of the whole front facade of the building.

Based on review of the additional information submitted the Roads Section has **no objection subject to conditions**. An extract taken from the Roads Section states the following:

Roads Department Assessment:

The applicant has submitted a drawing detailing 9 vehicle parking spaces and 4 bicycle parking stands. Roads are satisfied with the response.

No Roads objections subject to the following conditions:

The applicant shall provide 5% of vehicular parking spaces for mobility impaired users.

The Planning Authority considers the applicant has satisfactorily responded to the request for additional information for this item.

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Other Considerations

Development Contributions

- Retention and continuation of use of former double height warehouse within the building as 426.6sq.m. of office use over two floors.
- Assessable area is 426.6sq.m

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Warehousing & Office Use	426.6
Land Type	Site Area (Ha.)
Enterprise and Employment	0.045 ha

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the Planning Authority is satisfied that subject to conditions the development is consistent with the Development Plan provisions and 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 Retention for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be retained and its use continued fully in accordance with plans, particulars and specifications lodged with the application, and as amended by Further Information received on 06/04/2022, save as may be required by the other conditions

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attached hereto.

REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.

2. **Parking.**

Within 6 months from the date of final grant of permission the applicant shall provide 5% of vehicular parking spaces for mobility impaired users.

REASON: In the interest of mobility impaired users and proper planning and sustainable development.

3. **Drainage - Irish Water.**

(i) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

(ii) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

(iii) All development shall be carried out in compliance with Irish Water Standards codes and practices.

(iv) All development shall be carried out in compliance with Irish Water Standards codes and practices.

(v) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(vi) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

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.

4. **Kildare Route Financial Contribution.**

The developer shall pay to South Dublin County Council a supplementary development contribution in the sum of €9,534.51 (updated to the appropriate rate at the date of commencement of development in accordance with changes in the Tender Price Index) pursuant to the provision of Section 49 Planning & Development Act 2000 (as amended) towards the expenditure incurred in the provision of the Kildare Route Project which facilitates this development.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a Supplementary Contribution be made in respect of the upgrade of the Irish Rail, Kildare Route Project.

5. **Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €42,131.02 (forty two thousand one hundred and thirty one euros and 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

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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.

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 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: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.


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REG. REF. SD22A/0033


LOCATION: Unit 3-4, Crag Avenue Business Park, Clondalkin Industrial Estate, Dublin
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Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for Retention 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: 29/4/22



Eoin Burke, Senior Planner