

South Dublin County Council
An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
Telephone: 01 4149000 Fax: 01 4149104 Email: planning.dept@sdublincoco.ie

Kavanagh Burke Consulting Engineers
Unit G3, Calmount Business Park
Ballymount
Dublin 12

NOTIFICATION OF DECISION TO GRANT PERMISSION
PLANNING AND DEVELOPMENT ACT 2000 (as amended) & PLANNING
REGULATIONS THEREUNDER

Decision Order Number: 0570	Date of Decision: 04-May-2022
Register Reference: SD21A/0313	Date: 07-Apr-2022

Applicant: Aerodrome Propco Limited

Development: Subdivision of existing Block B, College lane, Greenogue, Rathcoole, Co. Dublin (existing areas: 23,421sq.m single warehouse and 2,963sq.m ancillary office/staff facilities as granted under application Ref. SD19A/0265 into 2 warehousing units as follows: (1) Unit 81 to contain 15,815sq.m existing warehouse area, 2,905sq.m existing ancillary office/staff facilities area and (2) Unit 82 to contain 7,569sq.m existing warehouse area, 58sq.m existing ancillary staff facilities area, 37sq.m change of use of existing warehouse to ancillary office/staff facilities area at ground floor and 636sq.m additional 2-storey ancillary office/staff facilities on 1st & 2nd floor; the above proposal includes minor elevation adjustments to south & west elevation of Unit 82 to facilitate the additional ancillary office/staff facilities, subdivision of the rear HGV yard by internal fencing, provision of new HGV & car access gate to Unit 82 from the existing estate access road, provision of 36 carpark spaces including 2 disabled spaces and 24 bicycle spaces, pedestrian access & footpath from the new gate to the new ancillary office and associated drainage adjustments, note this planning submission is

one of two independent applications for subdivision options to Block B.

Location: College Lane, Greenogue, Rathcoole, Co. Dublin

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 21-Jan-2022 /08-Apr-2022

Clarification of Additional Information Requested/Received:

DECISION TO: Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, 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 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

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 condition(s) set out hereunder is thereby 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 07/04/2022, 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. Multiple Permissions
It is noted that two applications for similar works have been submitted simultaneously. The applicant shall only implement one of these permissions, either the current application of SD21A/0313 or SD21A/0312. Under no circumstances will it be

acceptable or compliant with a permission for elements of either application to mixed. Any amendments must be agreed by way of a future planning application.

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

3. 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 neighbourhood.

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

(d) During the construction 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.

(e) 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.

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

(g) 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.

(h) 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.

(i) 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.

4. Irish Water

Prior to the commencement of development the applicant or developer shall enter into water and wastewater connection agreement(s) with Irish Water.

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

5. Roads Requirements

Prior to the commencement of development the applicant shall submit the following to the Planning Authority for written agreement:

(a) information with regards to their proposed bin/waste collection arrangement and bin storage and collection locations

(b) a Construction Traffic Management Plan

(c) a Construction & Demolition Waste Management Plan

(d) A Mobility Management Plan (to be completed within six months of opening of the proposed development)

(e) a public lighting scheme with South Dublin County Council Lighting Department. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department.

(f) All roads, footpaths, cycle paths and hard standing areas shall to be constructed to appendix 6 'Taking in charge standards'.

(g) Under no circumstance shall HGVs from the proposed development use the route R120 North towards the Newcastle village. All HGVs shall be instructed to use the Rathcoole Interchange onto N7 all times.

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

REASON: In the interests of traffic safety and sustainable transport.

6. Public Realm

Prior to the commencement of the development the applicant shall submit to the Planning Authority for written agreement a fully detailed landscape plan of not less than 1:500 and shall include;

(a) full works specification, that accords with the specifications and requirements of the Council's Public Realm Section.

(b) hard and soft landscape details including;

(i) levels, sections and elevations,

(ii) detailed design of SUDs features including swales, rain gardens clearly showing how they work to collect and attenuate surface water run-off and how they work as part of the overall SuDs strategy/treatment train.

(c) fully detailed Planting Plan for the development. The planting plan shall clearly set out the following:

(i) Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate

(ii) Implementation timetables.

(iii) Detailed proposals for the future maintenance/management of all landscaped areas

REASON: In the interest of amenity, compliance with Development Plan Policy, the provision, establishment and maintenance of a reasonable standard of landscape and proper planning and sustainable development of the area.

7. Tree Protection

(a) Prior to the commencement of development, all trees, groups of trees, hedging and

shrubs to be retained shall be enclosed within stout tree protection fencing in accordance with BS 5837: 2012 Trees in Relation to Design, Construction and Demolition. This protective fencing shall enclose an area covered by the crown spread of the branches, or at a minimum a radius of two meters on each side of the hedge for its full length, and shall be maintained until the development has been completed.

(b) No construction equipment, machinery or material shall be brought onto the site for the purpose of the development until all the trees which are to be retained have been protected by this fencing.

(c) No work shall be carried out within the area enclosed by this fencing, and in particular, there shall be no parking of vehicles, placing of site huts, storage compounds or topsoil heaps, storage of oil, chemicals or other substances, and no lighting of fires, over the root spread of any tree/hedge to be retained. Fencing to be in accordance with BS 5837: 2012 and as specified.

REASON: To protect trees and planting during the construction period in the interest of visual amenity, biodiversity and green infrastructure.

8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €62,811.36 (sixty two thousand eight hundred and eleven euros and thirty six 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.

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 requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

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: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014 the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.



for Senior Planner

04-May-2022

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations. 200 I should be consulted.

(B) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
2. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made. where the application relates to unauthorised development.....€4,500.00 or €9,000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made. other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b)..... €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal..... €110.00
 - (f) Appeal following a grant of leave to appeal..... €110.00
 - (g) Referral €220.00
 - (h) Reduced fee (payable by specified bodies) €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing..... €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at Telephone 01-858 8100