

# Comhairle Chontae Atha Cliath Theas

**PR/0603/22**

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

**Reg. Reference:** SD21A/0329      **Application Date:** 01-Dec-2021  
**Submission Type:** Additional Information      **Registration Date:** 19-Apr-2022

**Correspondence Name and Address:** J. Taylor Architect Ltd. 39, North Avenue, Mount Merrion, Co. Dublin

**Proposed Development:** Development comprising 189sq.m of warehouse space and 89sq.m of ancillary office space.

**Location:** Site at Bluebell Avenue, Bluebell Industrial Estate, Dublin 12

**Applicant Name:** P & S Machinery

**Application Type:** Permission

(CS)

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

Site Area: stated as 0.0666 ha

#### Site Description:

The subject site is located on Bluebell Avenue, in the Bluebell Industrial Estate and mainly comprises a triangular shaped cleared greenfield site with a small rectangular piece of hardstanding at the site entrance to the south of the subject site. It is noted there is a small kink in the site boundary wall to the northwest of subject site which incorporates a small section of space towards the Grand Canal. The site entrance to the south is bound by a palisade fence and sliding gate. The remaining two sides are formed of a high (c.3.5m) block wall boundary.

#### **Proposal:**

The proposed development relates to the following:

- Construction of a warehouse measuring 189sq.m with ancillary office space measuring 89sq.m.

#### **Zoning:**

The subject site is subject to zoning objective 'REGEN' - '*To facilitate enterprise and/or residential-led regeneration*' under the South Dublin County Council Development Plan 2016-2022.

The site is located within the REGEN zoned lands which is subject to an area plan. The City Edge Project plan is currently ongoing and is in Phase 1.

#### **Consultations:**

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Forward Planning City Edge Delivery Team – **Additional Information** requested regarding proximity to the Canal.

Irish Water – **Additional Information** recommended.

Surface Water Drainage – **Additional Information** recommended.

Roads Department – **Additional Information or conditions** to be attached in the event of a grant.

Surface Water Drainage – **Additional Information** recommended.

Environmental Health – Acceptable subject to **conditions**.

Parks Department – Grant with **conditions**.

Health & Safety Authority – No report received to date.

### Submissions/Observations /Representations

None.

### Relevant Planning History

**SD08A/0341:** 2-storey warehouse with a total gross floor area of 990sq.m. with 10 no. associated car parking spaces and all ancillary site works including drainage and watermain connection.

Decision: **GRANT PERMISSION.**

**SD08A/0048:** 3 storey warehouse with a total gross floor area of 1376sq.m. with 6 no. associated car parking spaces and all ancillary site works including drainage and watermain connections.

Decision: **REFUSE PERMISSION.**

### *Adjacent site*

**SD04A/0012:** Unit D2, Bluebell Industrial Estate, Dublin 12.

Sub-division of Unit D2 into 3 No. units with office accommodation.

Decision: **GRANT PERMISSION FOR RETENTION.**

### Relevant Enforcement History

None traced.

### Pre-Planning Consultation

None

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

The site is subject to zoning objective 'REGEN' – 'To facilitate enterprise and / or employment-led regeneration'.

*Policy Objective CS6 SLO 1 provides for the following (Subject of Variation no. 3):*

'To initiate a plan led approach to the sustainable regeneration of the brownfield lands in the Naas Road/Ballymount REGEN zoned lands. The plan led approach will include the preparation of a masterplan in 2019 with a view to preparing a Local Area Plan or other appropriate mechanism for the Regeneration (REGEN) and Local Centre (LC) at Walkinstown zoned lands. The masterplan will provide a framework for the sequential and phased development of the lands, integrating

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sustainable transport, land use and blue and green infrastructure. The spatial planning of the area will be informed by the Naas Road Framework Plan (2010)'.

#### *Section 1.12.0 Employment Lands*

##### *Section 4.2.0 Strategic Policy For Employment*

##### *Policy ET1 Economic and Tourism Overarching Policies and Objectives*

It is the policy of the Council to support sustainable enterprise and employment growth in South Dublin County and in the Greater Dublin Area, whilst maintaining environmental quality.

##### *Policy ET2 Enterprise and/or Residential Led Development in Regeneration Zones*

It is the policy of the Council to facilitate and support the regeneration of underutilised industrial areas that are proximate to urban centres and transport nodes and to promote and support more intensive compatible employment and/or residential led development in regeneration zones.

##### *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 7.5.1 Waste and Resource Policy and Legislation*

##### *Policy IE5 Waste Management*

#### *Section 11.2.8 Signage – Advertising, Corporate and Public Information*

##### *Table 11.19: Signage – Types of Signs, Restrictions on Use and Design Criteria*

#### *Section 11.3.6 Retail Development*

- (i) Retail Criteria*
- (ii) Restrictions on Uses*
- (iii) Retail Warehousing*

#### *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 11.6.1 (ii) Surface Water*

#### *Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)*

#### *Section 11.6.1 (iv) Groundwater*

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*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 7.6.0 Major Accidents Directive*

*Policy IE6 Major Accidents*

*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*

*Section 9.3.1 Natura 2000 Sites*

*Policy HCL12 Natura 2000 Sites*

*Section 10.0 Energy*

*Policy E3 Energy Performance in Existing Buildings*

*Policy E4 Energy Performance in New Buildings*

*Policy E5 Waste Heat Recovery & Utilisation*

*Table 11.18: Key Principles for Development within Enterprise and Employment Zones*

**Relevant Government Guidelines**

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

***Retail Design Manual - A Good Practice Guide***, Department of Arts, Heritage and the Gaeltacht (2012).

***The Planning System and Flood Risk Management Guidelines for Planning Authorities***  
Department of the Environment, Heritage and Local Government and OPW (November 2009)

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

***Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020***, Department of Transport, (2009)

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#### **Assessment**

The main issues for assessment relate to the following:

- Zoning and Council Policy,
- Visual Impact,
- Compliance with City Edge Project,
- Access & Parking,
- Parks & Landscaping,
- Environmental Health,
- Services & Drainage,
- Screening for Appropriate Assessment, (AA),
- Screening for Environmental Impact Assessment (EIAR),

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

The subject site is subject to zoning objective 'REGEN' - '*To facilitate enterprise and/or residential-led regeneration*' under the South Dublin County Council Development Plan 2016-2022. The site is located within the REGEN zoned lands which are the subject of the City Edge Project plan, which is currently ongoing and is in Phase 1.

The proposed warehouse with ancillary offices would be classified as 'Industry-General' and is 'open for consideration' within the zoning under the CDP. The proposal will be assessed below.

#### **CityEdge – Naas Road Area**

The subject site falls within the boundary of the Naas Road/Ballymount/Park West masterplan (referred to City Edge Project hereafter) lands, which spans over 700 hectares and includes Dublin City Council's Naas Road LAP lands. The objective of the masterplan is to utilise the funding commitment made under the Urban Regeneration and Development Fund and to prepare a detailed study (Stage I) and strategic masterplan (Stage II) for the City Edge masterplan area. Stage I of the project, which was the preparation of a detailed baseline study for the lands, has been completed. Stage II, which is the preparation of a non-statutory draft strategic framework based on key principles for the Study Area commenced in Q1 2021 and was due to be completed by Q4 2021. Stage II (Strategic Framework) has now been extended into Q2 of 2022.

The overall project objective is to deliver plan led change in this strategic location, optimising the use of strategically important land proximate the city centre and well served by public transport in line with the objectives of Project Ireland 2040.

Having regard to the current stage of the plan-making process as outlined above, the Planning Delivery Team comments on relevant applications within the boundary of the City Edge Masterplan on a case-by-case basis. In this regard, the Planning Delivery Team has concerns regarding proximity to the Canal and has recommended Additional Information be requested for the proposal. This is covered in more detail below.

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#### *Visual Impact*

The proposed development would have a pitched roof height of c.7.0 metres and would be c.24.0 metres in length at its largest point with a width of c12.4 metres. At two storeys (c.7.0m) the height of the proposed warehouse with pitched roof will broadly align with the height of the adjacent warehouse to the south-west. At two storeys the height of the proposed warehouse will be set one storey lower than the height of the adjacent three storey warehouse to the south-east.

The area is primarily industrial in nature. The northern site boundary is comprised mainly of a high block wall (c.3.5m) which kinks slightly northwards towards the Canal. The south-eastern site boundary also comprises of a high block boundary wall (c3.5m). Generally the proposal will not have a significant adverse visual impact and would broadly integrate with the other existing landuses in the vicinity. However, the application proposes to retain the existing palisade fence and sliding gate that form the front boundary treatment on the south-west site boundary. However, there is no planning permission traced for this existing palisade boundary treatment and in any event considering the site is located within the City Edge Project area and is zoned 'REGEN' which seeks 'To facilitate enterprise and/or residential-led regeneration' a new visually improved boundary treatment would be required. It is considered this may be addressed by way of a request for **Additional Information** whereby the applicant is requested to submit revised scaled drawings clearly showing the replacement of this palisade fence with a new visually improved fence. This new improved fence could take the form of a black round bar railing to be set onto a concrete plinth.

#### *Compliance with City Edge Project,*

The Forward Planning City Edge Delivery Team has recommended **Additional Information** be requested regarding the proximity of the proposal in relation to the Canal. An extract taken from the report issued states the following:

#### Review:

*The Delivery Team has concerns in relation to the proposed development and in particular, regarding its proximity to the Grand Canal, which is a proposed Natural Heritage Area. The proposed structure would also appear to be very close to the trees/hedgerow along the Canalside walk. The Canal plays an important role as a biodiversity and amenity corridor and as a green infrastructure element and this multifunctional role will be enhanced and strengthened in the context of the City Edge Strategic Framework. The Emerging Preferred Scenario published in September 2021 set out the vision for the Canal in the context of the future new City Edge urban quarter as being a destination and attraction hosting an active travel and ecological greenway with the introduction of amenity and recreational uses. All of the foregoing would require careful balancing of amenity and ecology considerations.*

*It is also noted that in the context of the location of the proposed development along the Grand Canal pNHA and directly upstream of Natura 2000 sites in Dublin Bay, it may be advisable that the applicant be requested to submit AA and EIA Screening Reports.*

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Recommendation:

*It is therefore recommended that **further information** be requested from the applicant with respect to:*

*How the proposed development relates to the Emerging Preferred Scenario (published September 2021 and available on [www.cityedge.ie](http://www.cityedge.ie)) and how the development would address the initial approach to the Grand Canal in terms of:*

- Creating a destination and attraction*
- Creating an active travel and ecological greenway*
- Introducing amenity and recreational uses*
- Balancing amenity & ecology;*

*The likely impact of the proposed development on trees along the canalside walk and how any impact may be mitigated.*

*In the context of the location of the proposed development along the Grand Canal pNHA and directly upstream of Natura 2000 sites in Dublin Bay, it may also be advisable to request the applicant to submit AA and EIA Screening Reports.*

Having regard to the scale and nature of the development, it is considered on balance that the above **further information should be requested.**

***Access & Parking,***

A report was received from the Roads Department recommending **Additional Information** be requested or if granting Roads recommend **conditions** to be attached. An extract taken from the Roads report states the following:

*Access & Roads Layout:*

*Applicant has not provided details regarding access or egress from the site for pedestrians, cyclists or vehicular traffic*

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

- 1. The applicant shall submit a revised layout showing all proposed vehicular and pedestrian site entrances.*
- 2. The applicant shall submit a visibility splay drawing.*
- 3. The applicant shall submit a swept path analysis for any vehicle movements that would occur within the site (including bin trucks and emergency vehicles).*
- 4. 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.*

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

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- 1. The entrance apron shall be dishd and widened to the full width of the proposed entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.*
- 2. Any gates shall open inwards and not outwards over the public domain.*
- 3. Installation of automated gates must be in accordance with the 'HSA Guidelines on the Safety of Powered Gates'.*
- 4. Prior to commencement of development, the applicant shall submit the Construction Traffic Management.*
- 5. Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP)*
- 6. The proposed development shall make provision for one no. mobility impaired parking space*

As the applicant has not provided details regarding access or egress from the site for pedestrians, cyclists or vehicular traffic it is considered appropriate to request the above **Additional Information**. The applicant is also requested to show the location of a minimum of 2 car parking spaces to comply with the SDCC Development Plan 2016-2022 car parking standards. As the existing palisade and sliding gate boundary treatment is to be replaced by an improved visual fencing treatment the applicant is requested to show the location of a new vehicular entrance clearly showing an appropriate width for a new vehicular entrance.

***Parks & Landscaping***

The Parks Department has issued a report recommending a grant with **conditions** to be attached. An extract taken from the Parks report states the following:

*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. SuDS*

*The current drainage scheme does not fully comply with the objectives of the development plan in terms of Green Infrastructure or as regards the proper implementation of SUDS.*

*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.*

*It is the policy of the Council to promote and support the development of Sustainable Urban Drainage Systems (SUDS) in the County and to maximise the amenity and biodiversity value of these systems. CONDITION*

*REASON: To prevent the increased risk of flooding and to improve and protect water quality and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal 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.*



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*2.Landscape Plan*

*Prior to the commencement of Development, a fully detailed landscape plan shall be submitted and agreed with the Public Realm Section, with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include hard and soft landscaping including levels, sections and elevations in addition the applicant is requested to submit a fully detailed Planting Plan for boundary planting/hedgerows for the development. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion of the development, whichever is the sooner. Details shall include:*

*i.a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;*

*ii.location, type and materials to be used for hard landscaping including specifications, where applicable for:*

*a) permeable paving*

*b) tree pit design*

*c) underground modular systems*

*d) Sustainable urban drainage integration*

*iii.a schedule detailing sizes and numbers/densities of all proposed trees/plants;*

*iv.specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and*

*v.types and dimensions of all boundary treatments*

*All soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. **CONDITION***

***REASON:** To ensure that the development achieves a high standard of design, layout and amenity and makes provision for hard and soft landscaping which contributes to the creation of a high quality, accessible, safe and attractive public realm in accordance with relevant policies in the CPD 2016-2022*

*3.Boundary Planting*

*Boundary planting of an appropriate scale is required to provide screening to and from the surrounding area. The boundary planting should consist of semi mature tree and hedge species to provide screening and to soften the built form. The proposed planting should contain predominantly native species. Details of the proposed boundary treatments to be submitted to and agreed in writing with the Public Realm Section. **CONDITION***

***REASON:** In the interests of visual amenity and integrating the development into the landscape and in accordance with relevant policies and objectives contained within the CDP 2016-2022.*

It is considered appropriate to attach the above **conditions** in the event of a grant.

***Environmental Health***

A report was received from the Environmental Health Officer (EHO) recommending the proposal to be acceptable subject to **conditions**. An extract taken from the EHO report states the following:

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Development Summary

*The application is for construction of a warehouse space and office space. Noise pollution and air pollution restrictions will be necessary for the construction phase.*

*The above proposal is acceptable to the Environmental Health Department – subject to the following condition(s):*

*Construction Phase*

*Noise*

*1. To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that : The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours*

- Before 07.00 hours on weekdays, Monday to Friday*
- Before 09.00 hours on Saturdays.*
- After 19.00 hours on weekdays, Monday to Friday.*
- After 13.00 hours on Saturdays.*
- Not permitted at any time on Sundays, Bank Holidays or Public Holidays.*

*Reason: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.*

*Air Quality*

*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.*

*Reason: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinity.*

It is considered appropriate to attach the above **conditions** in the event of a grant.

***Services & Drainage***

Irish Water has recommended **Additional Information** be requested regarding requirements for Irish Water. Surface Water Drainage have recommended **Additional Information** be requested. An extract taken from the Irish Water report states the following:

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### *1 Water*

*1.1 Submit a pre connection enquiry with Irish Water.*

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

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

### *2 Foul*

*2.1 Submit a pre connection enquiry with Irish Water.*

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

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

It is considered appropriate to request the above **Additional Information**.

An extract taken from the Surface Water Drainage report states the following:

Surface Water Report: **Further Information** Required:

*1. Submit a report showing percolation test results at location of proposed soakaway as per BRE digest 365 standards.*

*2. Submit a drawing in plan and cross-sectional view showing design details of proposed soakaway as per BRE Digest 365 Standards. Proposed soakaway shall have an overflow connection to existing 300mm surface water sewer West of Site.*

*3. Submit a drawing showing what SuDS (Sustainable Drainage Systems) are proposed in development. Examples of SuDS include green roofs, permeable paving, tree pits, green walls, tree pits planter boxes, green area detention basins, swales and other such SuDS.*

*Flood Risk*

*No Objection*

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

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

It is considered appropriate to request the above **Additional Information**.

***Screening for Appropriate Assessment (AA)***

An AA Screening report required from applicant to aid assessment.

***Screening for Environmental Impact Assessment (EIAR)***

Screening report required from applicant to aid assessment.

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### Other Considerations

#### *Development Contributions*

- Construction of warehouse (189sq.m) with ancillary offices (89sq.m).
- Assessable area is 178sq.m.

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m.)</b>
Industry: permission for warehouse & office	178sq.m.
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.0666

### Conclusion

Request Further Information.

### Recommendation

Request Further Information.

### Further Information

- Further Information was requested on 03/02/2022.
- Further Information was received on 19/04/2022.

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

The following Further Information was requested.

#### Item 1: Access and Parking

The applicant is requested to:

- (a) submit a revised layout showing all proposed vehicular and pedestrian site entrances.
- (b) submit a visibility splay drawing.
- (c) submit a swept path analysis for any vehicle movements that would occur within the site (including bin trucks and emergency vehicles).
- (d) show the location of a minimum of 2 car parking spaces to comply with the SDCC Development Plan 2016-2022 car parking standards, and provide car parking for mobility impaired users, and parking spaces to be equipped with electrical charging points.
- (e) As the existing palisade and sliding gate boundary treatment is to be replaced by an improved visual fencing treatment the applicant is requested to show the location and an elevation of a new vehicular entrance clearly showing an appropriate width for a new vehicular entrance.

#### Item 2: Concerns regarding proximity to the Canal (CITY EDGE)

The applicant is advised that the subject site is zoned 'REGEN' and is part of the City Edge area project. In this context, the applicant is requested to identify how the proposed development relates to the Emerging Preferred Scenario (published September 2021 and available on [www.cityedge.ie](http://www.cityedge.ie)) and how the development would address the initial approach to the Grand Canal in terms of:

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- Creating a destination and attraction
- Creating an active travel and ecological greenway
- Introducing amenity and recreational uses
- Balancing amenity & ecology;

The likely impact of the proposed development on trees along the canal side walk and how any impact may be mitigated.

#### Item 3: Boundary Treatment.

The application proposes to retain the existing palisade fence and sliding gate that form the front boundary treatment on the south-west site boundary. However, there is no planning permission traced for this existing palisade boundary treatment and in any event considering the site is located within the City Edge Project area and is zoned 'REGEN' which seeks 'To facilitate enterprise and/or residential-led regeneration' a new visually improved boundary treatment fence would be required. The applicant is requested to submit revised scaled drawings clearly showing the replacement of this palisade fence with a new visually improved fence. This new improved fence could take the form of a black round bar railing to be set onto a concrete plinth.

#### Item 4: Services & Drainage

The applicant is requested to submit the following information:

- a pre-connection enquiry with Irish Water for water and waste water connection agreement(s) with Irish Water.
- a report showing percolation test results at location of proposed soakaway as per BRE digest 365 standards.
- a drawing in plan and cross-sectional view showing design details of proposed soakaway as per BRE Digest 365 Standards. Proposed soakaway shall have an overflow connection to existing 300mm surface water sewer West of Site.
- a drawing showing what SuDS (Sustainable Drainage Systems) are proposed in development. Examples of SuDS include green roofs, permeable paving, tree pits, green walls, tree pits planter boxes, green area detention basins, swales and other such SuDS.

#### Item 5: Appropriate Assessment & Environmental Impact Assessment

In the context of the location of the proposed development along the Grand Canal pNHA and directly upstream of Natura 2000 sites in Dublin Bay, the applicant is requested to submit AA and EIA Screening Reports.

#### Further Consultations

- City Edge Project – **Clarification of Further Information** recommended.
- Roads Section – **Clarification of Further Information** recommended.
- Heritage Officer – (Verbal Report) **Clarification of Further Information** recommended.
- Surface Water Drainage – No objection subject to **conditions**.
- Irish Water - No objection subject to **conditions**.

#### Further Submissions/Observations

None received.

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### Assessment

#### Item 1: Access and Parking

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:

- 1(a) See Revised Proposed Site Layout Plan on attached drawing no ZF11/P01Rev A showing location and size of the single proposed dual vehicular and pedestrian access. Please note that it is intended that there will be two settings on the main electrically operated entrance gates a) for pedestrian access /exit only and b) for vehicular access.
- 1(b) It is not necessary to have a splayed entrance as a new railings is to be installed which is constructed of 20mm steel bars at 100mm centres and this will provide full visibility for all traffic on Bluebell Avenue.
- 1(c) See sweep path analysis on attached drawings 22/2061/02, 22/2061/03, 22/2061/04 and 22/2061/05 along with the attached track vehicle specification. Please note that this is a small warehouse unit which be serviced by small delivery vehicles similar to the vehicles identified in the track specification. In addition, the building will not generate extensive waste and it will not be necessary for a bin truck to enter the site. Likewise in the event of a fire, a fire tender will not enter the site but will deal with the fire from the main road. There is sufficient space for an ambulance to enter and exit the site based on the sweep path analysis referred to above.
- 1(d) See revised Proposed Site Layout Plan on attached drawing no ZF11/P01Rev A showing location and size of proposed car parking spaces including one no parking for mobility impaired users along with electrical charging points.
- 1(e) See drawing No ZF11/P04 showing the location, elevation, vehicular entrance and details of proposed new railings along the Bluebell Avenue Boundary. This drawing should also be read in conjunction with the sweep path analysis drawings referred to above.

Following review of the Additional Information submitted the Roads Section has recommended **Clarification of Additional Information**. An extract taken from the Roads Section report states the following:

#### ***Roads Department Assessment:***

*The proposed entrance location **is not acceptable** to the Roads Department. It is seen as hazardous and creates unacceptable risks within the yard. The Roads Department could take a different view on this element if the entrance was moved west beyond the building line of the side wall of the proposed warehouse (Note: SDCC does not design, it only approves or rejects). Any resubmitted/revised drawings to include location of all warehouse doors.*

*(a) No visibility splay drawing was submitted.*

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- (b) Swept path analysis was submitted but is not satisfactory as per Item 1 above.*
- (c) It seems 2no spaces are shown on drawing.*
- (d) The width is 3.5m which meets the standard though location is not acceptable as per Item 1 above.*

### ***Roads requests clarification of the following information:***

- 1. A revised drawing re the entrance location is required (as per (a) above).*
- 2. A visibility splay drawing is required.*
- 3. A swept path analysis drawing is required to reflect an acceptable entrance location.*

The Planning Authority considers the applicant has not satisfactorily responded to the request for additional information for this item. It is considered appropriate to request the above items for **Clarification of Further Information.**

### **Item 2: Concerns regarding proximity to the Canal (CITY EDGE)**

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

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2. It should be noted that the subject site is in the Bluebell Industrial Estate and the site backs onto the Grand Canal. There is no direct access from Bluebell Industrial Estate onto the Grand Canal. There is an existing masonry wall between the subject site and the Grand Canal with mature planting on the Canal Side of the wall. The proposed development will not interfere with the existing boundary wall or the mature planting outside of the boundary wall. The development is small in size and is of similar height and construction to the other existing buildings within the Industrial Estate

In response to the query as to how the development would address the initial approach to the Grand Canal we would advise as follows:

- a) Creating a destination and attraction

The subject site is separated from the Grand Canal by an existing masonry wall and mature planting. The development is small in scale and will have no impact on the boundary wall or the mature planting. It is proposed to include some planting on the site of the proposed development which will help to create the Grand Canal place of destination and attraction.

- b) Creating an active travel and ecological greenway.

The proposed development is within the Bluebell Industrial Estate with no direct access to the Grand Canal. The development will not of itself add to the generation of active travel and ecological greenway along the Grand Canal but the proposed development will not negatively impact the Grand Canal and will help to make "*the Grand Canal place of destination and attraction*".

- c) Introducing amenity and recreational uses

It would not be possible, nor would it be appropriate to introduce amenity or recreational uses on the subject site due to its location within the Bluebell Industrial Estate with no direct access to or from the Grand Canal.



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d) Balancing amenity and ecology

The subject site is separated from the Grand Canal by an existing masonry wall and mature planting. The proposed development is detached from the Grand Canal and as stated at b) above "*the development will not of itself add to the generation of active travel and ecological greenway*". Therefore the proposed development of itself will have no impact on the balance between amenity and ecology

e) The likely impact of the proposed development on trees along the canalside walk and how to mitigate it.

As noted at a) above the proposed development will have no negative impact on the trees along the canalside walk. It is proposed to provide some additional planting on the subject site by way of further improvement to the amenity of the canal.

See the attached AA and EIA screening reports for additional commentary on items 2a) – 2e) above.

Following review of the Additional Information submitted for Item No. 2 the City Edge Project Team have recommended that the applicant's response is considered sufficient at a wider level from the perspective of the City Edge Project. An extract taken from the City Edge Team report for the Item No. 2 states the following:

***FI Assessment***

***Item 2 – City Edge Project and Grand Canal***

***City Edge Emerging Preferred Scenario***

*The applicant appears not to have detailed how the proposed development relates to the Emerging Preferred Scenario of the City Edge Project which was subject to non-statutory public consultation.*

*Notwithstanding this, the City Edge Project has progressed since further information was requested on the subject application in February 2022. The Emerging Preferred Scenario has evolved into a Strategic Framework which was presented to the May 2022 South Dublin County Council Meeting for noting. The Strategic Framework provides the direction of travel for the area up to 2070 in line with objectives set out in national guidance through the NPF and RSES. As the site is located within an area currently zoned REGEN, future development objectives of the Strategic Framework and the statutory plan that will follow for the area, could see the area evolve to accommodate development that goes beyond the existing characteristics of the area which is mainly industrial in nature.*

*The non-statutory Strategic Framework does not, however, represent a framework for development consent and will inform the statutory plan at the next stage of the City Edge Project. Identifying*

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*how the proposed development relates to the Emerging Preferred Scenario, as per the further information request, is therefore no longer considered relevant or necessary.*

*Approach to Grand Canal*

*The applicant has responded to the further information response with respect to how the development would address the initial approach to the Grand Canal in terms of:*

- Creating a destination and attraction*
- Creating an active travel and ecological greenway*
- Introducing amenity and recreational uses*
- Balancing amenity & ecology.*

*The applicant has advised that the site is separated from the canal by an existing masonry wall with existing mature trees on the canal side of the wall and submits that neither will be impacted on by the development with no negative impact on trees on the canal side. Some internal site planting is proposed by the applicant and it is suggested that this will enhance the amenity of the area.*

*The applicant further explains that the proposed development will not have direct access to the Grand Canal and will not add to the generation of active travel along the greenway, with no negative impact on the Grand Canal and will have no impact on the balance between amenity and ecology.*

*The applicant reiterates that the site is within the existing Bluebell industrial estate and that there is no direct access to or from the canal from the site.*

*In advance of the formulation of a statutory plan for the area, the applicant's response is considered sufficient at a wider level from the perspective of the City Edge Project.*

The Planning Authority Considers the applicant has satisfactorily addressed the request for Additional Information for this item.

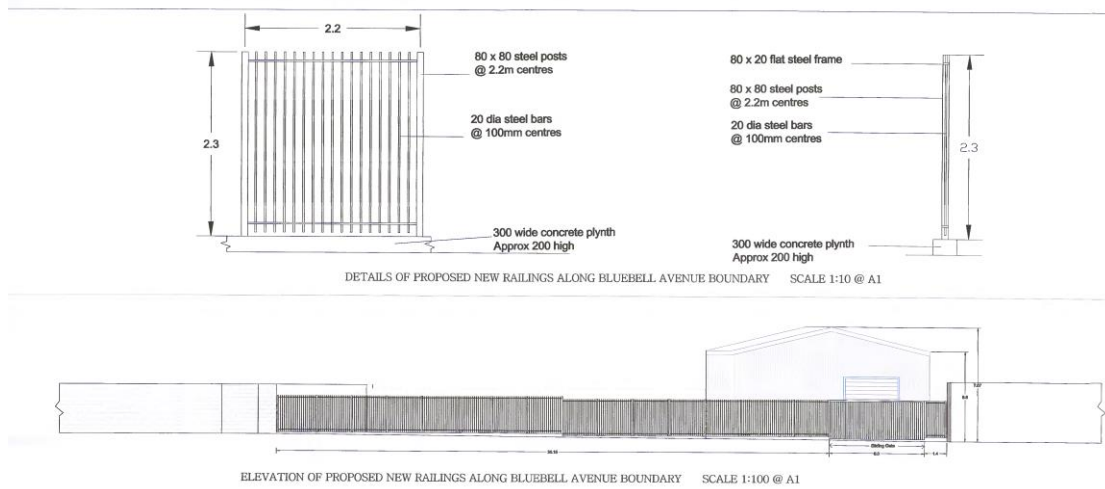
**Item 3: Boundary Treatment.**

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

- 3. See drawing no ZF11/P04 for details of the proposed new railings along the Bluebell Avenue Boundary.**

A drawing showing the proposed railing boundary treatment (2.3m high set on top of a 200mm high concrete plinth) can be seen below and is considered to be satisfactory to the Planning Authority.

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The Planning Authority Considers the applicant has satisfactorily addressed the request for Additional Information for this item.

Item 4: Services & Drainage

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:

- 4(a) We confirm that a pre-connection enquiry for water and waste water supply has been lodged with Irish Water. The reference is CDS22002644 and a copy of the acknowledgement from Irish Water is attached.
- 4b) See attached report showing percolation test results. Please note that the percolation on this site is extremely poor.
- 4c/d) See attached drawing No 22/2061/01 showing details of proposed drainage layout and details.

Following review of the Additional Information submitted both Irish Water and Surface Water Drainage have recommended no objections subject to **conditions**. An extract taken from the Irish Water report states the following:

*IW Recommendation:  
No Objection*

*1 Water*

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

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

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*2 Foul*

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

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

An extract taken from the Surface Water Drainage report states the following:

*Surface Water Report: No Objection Subject To:*

*1. Prior to commencement of development submit a drawing in plan and crosssectional view showing design details of proposed soakaway as per BRE Digest 365 Standards. Proposed soakaway shall have an overflow connection to existing 300mm surface water sewer West of Site which shall also be shown on revised drawing.*

*2. Prior to commencement of development submit a drawing showing what SuDS (Sustainable Drainage Systems) are proposed in the development. Examples of SuDS include green roofs, permeable paving, tree pits, tree pits planter boxes, green area detention basins, swales and other such SuDS. The drawing shall show the extent and size and type of SuDS proposed for the development.*

*Flood Risk No Objection*

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

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

It is considered appropriate to attach the above conditions in the event of a grant of permission. The Planning Authority Considers the applicant has satisfactorily addressed the request for Additional Information for this item.

**Item 5: Appropriate Assessment & Environmental Impact Assessment**

The applicant has submitted a cover letter and screening reports for Appropriate Assessment and Environmental Impact Assessment (EIAR) in an attempt to address the request for additional information. An extract taken from the cover letter states the following:

**5 We attach an AA and an EIS screening report as requested.**

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Following review of the Additional Information submitted for Item No. 5 the City Edge Project Team have recommended that the applicant's response is not considered sufficient and has recommended requesting **Clarification of Additional Information**. The City Edge report finds the EIA screening submitted by the applicant to be odds with the preliminary ecological report carried out for City Edge. The preliminary ecological report carried out for City Edge identified bats (protected species) along the Canal. However, the EIA screening submitted states that 'the proposal would not be likely to have a significant effect on species listed as Annex IV of the EU Habitats Directive', with no reference to bat surveys or lighting levels, etc. An extract taken from the City Edge Project Team report for Item No. 5 states the following:

#### *Item 5 -Appropriate Assessment and EIA Screening*

*In response to Item 5 of the Further Information Request, the applicant has submitted EIA Screening and Appropriate Assessment Screening Reports. The City Edge Project Team advises that both screening reports should be referred to the Council's Heritage Officer in order to establish the comprehensiveness of the EIA Screening and AA Screenings.*

*The AA Screening Report concludes that the possibility of significant impacts on European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt.*

*The EIA Screening Report also concludes that the nature, scale and characteristics of the proposed development is not considered likely to have significant effects on the environment. Under the EIA Screening Report, it is noted that the proposed development has been screened against the criteria contained under Schedule 7 of the Planning and Development Regulations 2001 (as amended) in the context of the applicant indicating that the proposal is a sub threshold development for the purposes of Part 10 of the regulations.*

*In relation to the determination on the location of the proposed development, the EIA Screening Report states that the proposal would not be likely to have a significant effect on species listed as Annex IV of the EU Habitats Directive.*

*The Preliminary Ecological Appraisal carried out for the City Edge Project has revealed the presence of Brown Long-eared Bat (*Plecotus auritus*) and Daubenton's Bat (*Myotis daubentonii*) within the 10km Grid (003) of the National Biodiversity Centre database within which the City Edge Project is located. Both species are listed as Annex IV of the EU Habitats Directive. It is unclear how the applicants have screened out likely significant effects on these Annex IV species in the context of the absence of details on bat surveys work or on lighting levels that would emanate from the proposed development. This is particularly relevant in the context of the location of the site along the Grand Canal pNHA.*

*Further to the recommended referral of this Screening Report to the Council's Heritage Officer, it is recommended that **clarification of further information be requested** in relation to this aspect of the EIA Screening. To help clarify this information, bat surveys should be suggested together with an assessment and illustration of lighting levels (by a suitably qualified person) from the proposed*

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*development (including any lighting that is proposed around and within the perimeter of the site such as parking, security and signage lighting) on any bat roosts and any bat commuting, feeding and foraging routes.*

#### **Recommendation:**

*The City Edge Project has progressed since further information was requested on the subject application in February 2022. The Emerging Preferred Scenario has evolved into a Strategic Framework and was presented to the May 2022 South Dublin County Council Meeting for noting. The non-statutory Strategic Framework does not represent a framework for development consent and will inform a statutory plan at the next stage of the City Edge Project. Identifying how the proposed development relates to the Emerging Preferred Scenario, as per the further information request, is therefore no longer considered relevant or necessary.*

*The applicant has submitted that the proposed development is not of a scale that would impact the amenity or ecology of the existing Grand Canal. This is further explained by the details given by the applicants that the existing masonry wall and mature planting separates the proposed development from the Grand Canal and is not proposed to be altered. In advance of the formulation of a statutory plan for the area, the applicant's response is considered sufficient at a wider level from the perspective of the City Edge Project.*

*The AA and EIA screening reports that accompany the further information response rule out the possibility of significant impacts on European Sites and the likelihood for significant effects on the environment.*

*The Preliminary Ecological Appraisal carried out for the City Edge Project has revealed the presence of bat species in the area that are protected under Annex IV of the Habitats Directive. **It is unclear how the applicants have screened out likely significant effects on these protected species in the context of the absence of details on survey work or on lighting levels.***

*Further to the recommended referral of this Screening Report to the Council's Heritage Officer, it is recommended that clarification of further information be requested in relation to this aspect of the EIA Screening. To help clarify this information, bat surveys should be suggested together with an assessment and illustration of lighting levels (by a suitably qualified person) from the proposed development (including any lighting that is proposed around and within the perimeter of the site such as parking, security and signage lighting) on any bat roosts and any bat commuting, feeding and foraging routes.*

The Heritage Officer has also reviewed the Additional Information submitted and has provided a verbal report expressing concerns regarding the insufficient information submitted to demonstrate there will be no impact on bat populations that are present along the Grand Canal. Based on the insufficient screening of the Environmental Impact Assessment (EIAR) including the absence of an ecological survey with no reference to bat surveys or lighting levels and given the location of the subject site along the Grand Canal where bats are present it is considered appropriate that **Clarification of Additional Information** is requested.

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The Planning Authority Considers the applicant has not satisfactorily addressed the request for Additional Information for this item.

#### **Conclusion**

Request **Clarification of Further Information on the following items.**

- Item 1: Access and Parking
- Item 5: Appropriate Assessment & Environmental Impact Assessment

#### **Recommendation**

I recommend that **CLARIFICATION OF ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. It is unclear how the applicants have screened out likely significant effects on protected species (bats) in the EIAR screening report submitted. In the context of the absence of details on ecological survey work or on lighting levels for bat populations whereby the presence of bats were identified in the preliminary ecological report previously carried out for the City Edge Project, the applicant is requested to demonstrate how the EIAR screening report submitted concluded that there would be no likely significant effects on protected species (bats). The applicant is requested to submit an ecological survey including a bat survey together with an assessment and illustration of lighting levels (by a suitably qualified person) from the proposed development (including any lighting that is proposed around and within the perimeter of the site such as parking, security and signage lighting) on any bat roosts and any bat commuting, feeding and foraging routes.
2. The proposed entrance location is not acceptable to the Roads Department. It is seen as hazardous and creates unacceptable risks within the yard. The Roads Department could take a different view on this element if the entrance was moved west beyond the building line of the side wall of the proposed warehouse (Note: SDCC does not design, it only approves or rejects). Any resubmitted/revised drawings to include location of all warehouse doors.
  - (a) No visibility splay drawing was submitted.
  - (b) Swept path analysis was submitted but is not satisfactory as per Item 1 above.
  - (c) It seems 2no spaces are shown on drawing.
  - (d) The width is 3.5m which meets the standard though location is not acceptable as per Item 1 above.

The applicant is requested to submit the following information:

- (i) A revised drawing re the entrance location is required (as per (a) above).
- (ii) A visibility splay drawing is required.
- (iii) A swept path analysis drawing is required to reflect an acceptable entrance location.


**Comhairle Chontae Atha Cliath Theas**

**PR/0603/22**

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**REG. REF. SD21A/0329**

**LOCATION: Site at Bluebell Avenue, Bluebell Industrial Estate, Dublin 12**

  
\_\_\_\_\_  
**Jim Johnston,  
Senior Executive Planner**

**ORDER:** I direct that **CLARIFICATION OF ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

**Dated: 12/05/2022**

  
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**Colm Harte,  
Senior Executive Planner**