

# Comhairle Chontae Atha Cliath Theas

**PR/0685/22**

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

**Reg. Reference:** SD21A/0284      **Application Date:** 19-Oct-2021  
**Submission Type:** Clarification of Additional Information      **Registration Date:** 04-May-2022

**Correspondence Name and Address:** Carew Kelly Architects 21-22, Grafton Street, Dublin 2

**Proposed Development:** Construction of self-storage facility with small ground floor café with total area of 8620sq.m composed of; part basement area consisting of self-storage area, open car parking and area for classic car storage; ground floor containing reception /office area, cafe of 124.5sq.m and self-storage area; first floor containing office area of 112.3sq.m and second and third floor containing self-storage areas; the proposed building is approximately 21.9 metres high from ground floor level; development includes external signage to building plus associated landscaping and drainage works; vehicular access to the ground floor is from the estate road and to the basement level is from the existing shared access road; the proposed site is located to South of N4, to the West of the existing Johnson and Johnson office building, to the north/east of Giraffe Childcare and to the north of Liffey Valley secondary estate road.

**Location:** Site at Liffey Valley, Dublin 22

**Applicant Name:** Oceanglade Ltd.

**Application Type:** Permission

(COS)

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

Site Area: stated as 0.72 Hectares on the application.

Site Visit: 17<sup>th</sup> of November 2021

### **Site Description**

The subject site is a greenfield site that is located just south of the N4. To the west of the site there is a two-storey building currently occupied by a creche. To the east of the site there is a five-storey building occupied by offices. A link road is located to the south of the site. The

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Liffey Valley shopping centre is located to the south-east of the site. The area is largely commercial in nature. The site slopes significantly towards the N4 in a northerly direction.

### **Proposal**

Permission is sought for the construction of self-storage facility with small ground floor café with total area of 8620sq.m composed of:

- Part basement area consisting of:
  - self-storage area,
  - open car parking, and
  - area for classic car storage.
- Ground floor containing:
  - reception /office area,
  - cafe of 124.5sq.m, and
  - self-storage area.
- First, Second and Third floor:
  - First floor containing office area of 112.3sq.m,
  - Second and third floor containing self-storage areas;
- The proposed building is approximately 21.9 metres high from ground floor level;
- Development includes external signage to building plus associated landscaping and drainage works; and
- Vehicular access to the ground floor is from the estate road and to the basement level is from the existing shared access road.

### **Zoning**

The subject site is subject to zoning objective 'MRC': *'To protect, improve and provide for the future development of a Major Retail Centre'*.

### **Consultations**

Water Services:	Additional information requested.
Irish Water:	No objection subject to conditions.
Roads Department:	Additional information requested.
Public Realm Department:	Additional information requested.
Transport Infrastructure Ireland:	No report received.
Chief Fire Officer:	No report received.
County Architect:	No report received.
H.S.E. Environmental Health Officer:	No report received.

SEA Sensitivity Screening – no overlap is recorded in the SEA monitoring system.

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

Submissions received raised the following concerns in summary:

- Proposed height, bulk, scale and proximity will dwarf childcare facility and reduce visibility.
- Reasons for refusal have not been addressed.
- Overshadowing and impact on possible future outdoor play areas for the childcare facility.
- Fire separation/external fire spread.
- Noise and dust from construction.
- Use of same access road as the childcare facility for emergency use is not possible to define or control and could result in excess traffic and accident risk.
- Overbearing and domineering and out of character with existing buildings.
- Proposed use is not in-keeping with the showroom and other sales buildings.
- Object to introducing a vehicular access and parking through the access road currently used exclusively by the childcare facility.
- Construction traffic will increase noise and dust and endanger the health and safety of children and staff at the facility.

The issues raised in the third-party submissions have been taken into account when assessing the proposal.

### **Relevant Subject Site Planning History**

SD20A/0286

Construction of self-storage and retail facility of 5901.4sq.m consisting of open basement area containing car parking, ground floor containing reception/office area; self-storage area and integrated retail unit of 478.7sq.m; first floor containing office area of 72sq.m and second floor containing self-storage area; the proposed building in approx. 19.85 metres high from ground floor level; external signage of 4 facades plus associated landscaping and drainage works; vehicular access to the ground floor is from the estate road and to the basement level is from the existing shared access road on a site of 0.72 hectares at Liffey Valley, to the south of the N4, to the west of the existing Johnson and Johnson office building, to the north and east of Giraffe childcare and to the north of Liffey Valley secondary estate road.

**Permission refused due to roads concern, justification for retail, visual impact and landscaping. These reasons for refusal form part of the assessment in this report below.**

### **Relevant Enforcement History**

None.

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### **Pre-Planning Consultation**

Pre-Planning Ref. No. PP022/21

Construction of Self-Storage Unit consisting of: Semi open basement area containing car parking and storage, Ground Floor containing reception/office area, self-storage area, First Floor containing office area and Second Floor containing self-storage area. Original development was 5901sq.m, revised development is 7,985sq.m including new storage area of 2100sq.m at basement level.

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

#### *5 Retail*

*Policy 4 Liffey Valley Major Retail Centre*

*Policy 9 Retail Warehousing*

#### *11 Implementation*

*Section 11.2.1 Design Statements*

*Section 11.2.7 Building Height*

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

*Section 11.3.6 Retail Development*

*(v) 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 11.4.4 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 11.6.5 Waste Management*

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*Section 11.7.1 Energy Performance Existing New Buildings*

*Section 11.8.1 Environmental Impact Assessment*

*Section 11.8.2 Appropriate Assessment*

*Schedule 6 Outdoor Advertising Strategy*

*7.0 Advertising Development Management Standards*

### **Relevant Government Guidelines**

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

*Eastern and Midland Regional Assembly - Regional Spatial and Economic Strategy (RSES) 2019-2031*

*Retail Planning Guidelines for Planning Authorities, Department of the Environment, Community and Local Government (April 2012)*

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

*Retail Strategy for the Greater Dublin Area 2008-2016, Dublin Regional Authority and Mid East Regional Authority, (2008)*

*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)*

*National Cycle Manual – National Transport Authority (June 2011).*

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council Policy;
- Previous Reasons for Refusal;
- Visual Amenity (Signage);
- Public Health;
- Services and Drainage;
- Access and Parking;
- Environmental Impact Assessment; and
- Appropriate Assessment.

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

The site is zoned 'MRC': *'To protect, improve and provide for the future development of a Major Retail Centre'*. In terms of the uses proposed the applicant has stated that the building would consist of a self-storage unit and coffee shop.

A 'self-storage' use is not listed under the use classes related to the MRC zoning objective nor is it listed in Schedule 5: Definition of Use Classes & Zoning Matrix Table of the CDP. The applicant has stated that goods would be stored by homeowners looking for more space or business owners who require short term excess storage capacity. 'Warehousing' is defined in Schedule 5 of the CDP as *'A building or part thereof where goods are stored or bonded prior to distribution and sale elsewhere. It may include the storage of commercial vehicles where this is ancillary to the warehousing function'*.

It is considered that due to the fact that goods would be 'stored' within the premises the self-storage use would broadly align with the definition of 'Warehousing' which is 'Open for Consideration' under the MRC zoning objective. Therefore, the proposed use may be acceptable subject to detailed assessment on their own merits and particularly in relation to their impact on the development of the County at a strategic and a local level. The reception/office area is associated with the self-storage use.

Under the MRC zoning objective, a restaurant/café is Permitted in Principle. This use is therefore considered to be generally acceptable, subject to further assessment against the relevant policies, objectives and standards set out under the Plan.

### ***Previous Reasons for Refusal***

There was a recently refused planning application on the subject site for a similar development (Reg. Ref. SD20A/0286). This application was refused based on the following reasons.

#### **Reason for Refusal No. 1**

*The proposed emergency access would rely on access via a site that is outside of the control of the applicant and currently used as an accessway for the dropping off and pick up of children attending an existing childcare facility. The proposed accessway is not considered to be suitable due to the lack of control over the accessway and risk of an accident with other vehicles, which could result in a traffic hazard and endanger public safety.*

*In addition to this the planning authority is not satisfied on the basis of the information submitted that the proposed eastern vehicular and pedestrian accessway would not result in a traffic hazard.*

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*The planning authority is not satisfied on the basis of the information submitted that the level of parking proposed is suitable for the site and surrounding area or that the applicant has provided sufficient justification for the proposal by means of a Traffic and Transport Assessment given the proximity to the Liffey Valley shopping centre. The proposal would therefore be contrary to the proper planning and sustainable development of the area.*

### Response:

The current proposal still provides for the access via the car park and access for the neighbouring existing childcare facility. The applicant states that this access road would be for emergency services only and a barrier would be provided at the bottom of the ramp. The use of this access was identified as a significant concern in the previous application. The Planning Authority is concerned that the neighbouring site is outside the control of the applicant. Should this neighbouring site ever change in terms of its layout or if additional buildings are proposed that would block the emergency access. The Roads Department raises concerns that this arrangement impacts traffic safety, especially given that both sites would have different types of activities. It is also noted third party submissions from this adjoining site raise concerns with the use of this access.

The applicant states that there is a right of way in place. Further information on this right of way is required. If there are wayleave(s) these should be shown on the site location map in accordance with the Planning and Development Regulations 2001 (as amended). However, the Roads Department still has serious concerns regarding this access and an alternative arrangement and proposal should be considered. Therefore, this reason for refusal has not been fully overcome. Even if the concern regarding the control of the access can be overcome, concerns regarding traffic safety still apply. **The applicant should be requested to revise the current proposal so that this access is provided in an appropriate location paying particular regard to traffic safety.**

It is likely that the proposed building will have to be reduced in size and floor area to make way for the revised emergency access. The applicant should liaise with the Roads Department prior to providing a response. It is noted that this access was a key part of the reason for refusal previously and the same concerns apply here. The Planning Authority would have serious concerns in granting permission for the development with this access in its current form.

The proposal also includes an access to the east via an existing internal access road on the neighbouring site to the east. Again, there are concerns regarding control over this access and traffic safety. The applicant should be requested to submit evidence that they have legal right to utilise this access. This might be in the form of a written letter, detail of any right of way(s) and/or drawings. A revised layout plan showing a two-way (access/exit) design through this

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shared access which shows traffic priority and proposed road line markings is required. **This information should be submitted by way of additional information.**

The applicant has submitted a Transportation Assessment Report prepared by NRB Consulting Engineers. The floor area, proposed uses, and car parking have been revised since the previous application. The total number of car parking spaces has been reduced to 50 spaces. The total maximum number of car parking spaces for the development under the County Development Plan is identified as 49. The provision of 50 spaces is therefore considered to be generally acceptable. It is noted that there is a space at basement level identified as for 'dedicated secure storage for classic cars'. These spaces are not considered to contribute to the car parking provision for the development and the applicant has correctly not included them in their calculations.

### Reason for Refusal No. 2

*The applicant has failed to provide sufficient justification for the retail element of the proposal in terms of the potential impact on the vitality and viability of the nearby Liffey Valley Core Retail Area. The proposal would therefore be contrary to the Retail Planning Guidelines for Planning Authorities (2012), policy R4 and section 11.3.6 (v) of the South Dublin County Council Development Plan (2016-2022) and would be contrary to the proper planning and sustainable development of the area.*

### Response:

The previous proposal included a retail unit of approx. 478.6sq.m. This retail unit has been omitted from the current proposal and the floor area of the self-storage unit increased. Additionally, a café unit is proposed. Restaurant/café use is Permitted in Principle under the site's zoning objective. It is therefore considered that this reason for refusal has been overcome.

### Reason for Refusal No. 3

*The applicant has failed to provide sufficient justification for a building of this scale, design and appearance within the context of the site and surrounding area. The proposed structure, by reason of its excessive scale, bulk and poor design would result in an incongruous and visually prominent feature that would detract from the visual amenity and character of the Major Retail Centre zoned area. The proposal is therefore considered to be contrary to the South Dublin County Development Plan 2016-2022 and the proper planning and sustainable development of the area.*



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Response:

The applicant has included the Design Statement in the Planning Assessment. Images of a 3D model of the development have also been submitted. The proposed unit has been redesigned in terms of height, bulk and design. The building would now step down in height towards the south (facing the estate road). The front part of the building, including the café unit, would be approx. 6.1m in height. The building then increases by approx. 9.3m and then by approx. 6.0m so that the highest part of the building is setback from this frontage.

The Planning Authority welcomes the redesign of the front elevation and considers that this somewhat addresses concerns in regard to the visual impact of the building when viewed from the front (south). However, the inclusion of brick (brick similar in colour to the brick structures located both to the east and to the west of the site) within the front (south) and side (east) façade would help strengthen the streetscape at this location and connect the three buildings (proposed and two existing structures). The applicant should be requested to submit revised proposals for the southern and eastern façades that incorporate significant sections of brick materials.

ADDITIONAL INFORMATION.

The building has also been redesigned so that the cladding is coloured light grey across the majority of the western, northern and eastern elevations. This helps the building better integrate with surrounding development and is more visually acceptable. The southern elevation would have cladding coloured yellow and blue, the corporate colours of the subject business. Black brick or similar would be used for the cladding of the café unit. Additional fenestration has also been introduced across the elevations. The overall changes to the building are welcomed, subject to additional brick being introduced as above.

It is noted that the overall height of the building has increased by approx. 2.0m. It would be approx. 25.4m in overall height when viewed from the north and approx. 21.9m when viewed from the south (front). The proposed height at the front (approx. 6.1m), adjacent to childcare facility, is acceptable. Due to the massing of the building at the front this height is acceptable from this elevation. Some concerns remain in regard to the visual impact of the proposal on the southern elevation. The building would be higher and closer to the southern boundary than neighbouring buildings. It is noted that this view is from the N4, however, consideration could be given to breaking up what would appear as a bulky façade/development from this view. The applicant should be requested to consider providing a setback at the top to reduce the bulk of the building. The top of this setback could also be coloured lighter. **This should be addressed by way of additional information.**

The area of surface car parking at the front of the building has been reduced and the building line brought forward. This provides for a better frontage and connection with the streetscape.

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### Reason for Refusal No. 4

*Having regard to the lack of information submitted in relation to existing trees, hedges and vegetation within the site and their protection and the excessive amount of hardstanding proposed, the proposal would result in a poor-quality landscape and environment and would therefore be contrary to the proper planning and sustainable development of the area.*

### Response:

The revised proposal submitted includes a revised landscaping plan. The hardstanding area in the north has been further setback and the vegetation along this boundary proposed for retention. Planting is provided along the neighbouring childcare facility site, which is welcomed. The Public Realm Section has reviewed the proposed development and have the following comments:

#### 1. *SuDS/Blue/Green Infrastructure*

*The current drainage scheme does not fully comply with the objectives of the County Development Plan in terms of Green Infrastructure or as regards the proper implementation of SUDS and is contrary to Green Infrastructure Policy G5 -Sustainable Urban Drainage Systems, Objective G5 1 and G5 2 and Infrastructure and Environmental Quality Policy 2 Surface and Groundwater Objective 3, 5 and 6. SDCC do not approve of using underground tanks as part of SuDS schemes where the full potential for the natural drainage features has not been explored.*

*The term Green Infrastructure is used to describe an interconnected network of waterways, wetlands, woodlands, wildlife habitats, greenways, parks and conservation lands, forests and other open spaces that adjoin and are threaded through urban areas. The Green Infrastructure network supports native plant and animal species and provides corridors for their movement, maintains natural ecological processes and biodiversity, sustains air and water quality and provides vital amenity and recreational spaces for communities, thereby contributing to the health and quality of life of residents and visitors to the County.*

*The proposed drainage system needs to be developed further in order to sustainably manage surface water through a more natural hydrological regime / 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. A SuDS strategy should be developed for the proposed development which takes account of and maximises these issues.*

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*The applicant is requested to revisit the design and layout of the proposed development and to submit revised plans and particulars to include:*

- a) Natural SUDS features shall be incorporated into the proposed drainage system. The SUDS shall be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022.*
- b) The applicant shall show natural SuDS features for the development such as green roofs, grass areas, channel rills, swales, detention basins, attenuations ponds/reed bed/wetlands and other such SuDS and show what attenuation capacity is provided by such SuDS. The use of underground tanks should be avoided.*
- c) A detailed SUDS scheme for the proposed development to be agreed with Public Realm. The SuDS features should be integrated into the landscape proposal with details provided on how they work and their attenuation capacity.*

### **ADDITIONAL INFORMATION**

#### **2. Existing Tree Protection**

*In areas to be planted, any existing trees should be retained. CONDITION*

The treeline northern boundary is considered important. Notwithstanding the Public Realm's Report, the northern boundary should be augmented with additional planting to provide additional screening from the N4. This can be achieved **by way of condition.**

Surface Water drainage is addressed under the Services and Drainage section of this report.

#### **Summary**

While the proposed development has come some way to addressing the previous reasons for refusal the Planning Authority still has concerns in regard to the proposed accesses, visual impact of the southern elevation and landscaping and planting and **ADDITIONAL INFORMATION** should be sought in this regard.

#### ***Visual Amenity (Signage)***

The visual impact of the proposed building has been addressed under the reasons for refusal section above. In regard to signage, a total of approx. 84.61sq.m of signage is proposed. These would be located on all elevations apart from the western elevation. The proposed signage has been assessed in relation to Section 11.2.8 of the County Development Plan and the South Dublin County Council Outdoor Advertising Strategy (2019).

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The site is zoned and located within a Major Retail Centre where signage would be expected. Advertisements and Advertising Structures are Permitted in Principle under this zoning. The site is located within Zone 2 of the Outdoor Advertising Strategy, where outdoor advertisements may be permitted subject to special development management measures.

There is existing signage on buildings along the road to the south of the site. Due to the scale and proximity of these to the site it is not considered that the proposal would lead to an overconcentration in the area. It is noted that the third sign on the front elevation is clearly associated with the coffee unit and is acceptable in this instance. The proposed development does not provide for the lighting or illumination of the signage (CONDITION TO BE ATTACHED TO PERMISSION). Given its scale and design the proposed signage is considered to be in compliance with Council policy.

### ***Public Health***

Third party submissions have raised concerns in regard to potential impact on the existing childcare facility to the south-west of the site. Due to the proposed building's location to the north of the childcare facility this would reduce the loss of natural light and overshadowing. Concerns have been raised in regard to fire safety, however, this is not a planning consideration and is dealt with under separate legislation.

Standards conditions in relation to appropriately controlling noise and dust during construction should be imposed in the event of a grant of permission. The applicant should also be asked to liaise with the H.S.E Environmental Health Officer prior to the commencement of development to confirm their requirements.

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

Water Services has reviewed the proposed development and requests further information in regard to surface water:

*1.1 It is unclear what areas of site are being attenuated by proposed attenuation system. Submit a revised drawing to show what areas of site are being attenuated by proposed attenuation system/s. The drawing should also show how and where each area of site is being attenuated. Prior to submission of additional information contact water services to discuss revised drawing.*

*1.2 Petrol interceptor/s shall be provided where required as per Section 20 of the Greater Dublin Regional Code of Practice for Drainage Works.*

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The report from Water Services is noted. However, the Planning Authority and Public Realm Section have concerns with the reliance on underground attenuation tanks to manage surface water onsite, which is contrary to Policy 2 Surface Water & Groundwater in general and specifically IE Objective 5, which requires ‘*to limit surface water run-off from new developments through use of Sustainable Urban Drainage Systems (SUD) and avoid the use of underground attenuation and storage tanks*’. The Public Realm Section state that “*the surface water drainage proposal is not sustainable and do not comply with the County Development Plan. SDCC do no approve of underground tanks unless the full natural potential of the site to manage surface water runoff has been explored. The drainage proposals deliver no amenity or biodiversity*”. A SuDS strategy that incorporates above ground soft natural solutions and that is fully integrated with and detailed in the Landscape Proposals is required. **This can be sought by way of additional information.**

Irish Water has reviewed the proposed development and states no objection subject to conditions relating to connection agreements. This report is noted and should be conditioned as such.

### ***Access and Parking***

The Roads Department has reviewed the proposed development and requests further information:

*This application is for the construction of self-storage facility of 8620m<sup>2</sup> consisting of open basement area for car parking, ground floor containing reception/office area; self-storage area and integrated retail unit, first floor containing office area, and second floor containing self-storage area.*

### ***Breakdown of GFA***

<b><i>Description</i></b>	<b><i>Area</i></b>
<b><i>Storage &amp; reception</i></b>	<b><i>8496m<sup>2</sup></i></b>
<b><i>Café (Retail)</i></b>	<b><i>124m<sup>2</sup></i></b>
<b><i>Total</i></b>	<b><i>8620m<sup>2</sup></i></b>

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### *Access and Internal Layout:*

*Proposed vehicular accesses to the site would be through 2 main accesses and 1 emergency exit.*

- *Main access (coffee shop/reception) to the proposed development*
- *Shared access road with Johnson & Johnson/Abbott – East side*
- *Emergency exit/shared with “Giraffe Childcare Liffey Valley” - West side*

*The applicant shall possess a written agreement between “Johnson & Johnson/Abbott” and the developer/owner of the proposed site, which shall be submitted to SDCC in the event of granting permission.*

*Regarding the previous planning permission application SD20A/0286, it contained a proposed ‘emergency access’, the roads report for this application stated the applicant shall provide an alternative route away from Giraffe Childcare Liffey Valley, the current arrangement aggravates the risk of an accident occurring on site specially that both site has different the type of activities. The applicant has not provided an alternative route, the emergency access is still proposed to pass through a childcare facility, and this remains an item of concern for the Roads Dept.*

*Pedestrian access to the site is provided at the main entrance plaza, and along the shared access road with Johnson & Johnson/Abbott. The basement car park shall include a demarcated pedestrian route and dropped kerbs at the access points.*

*The road layout is unclear for traffic turning off OR departing onto the shared access road for either facility (existing Johnson & Johnson/Abbott OR proposed U-Store-It) and a revised drawing is required which clearly shows traffic priority and proposed road line markings.*

*The main road and accesses to site is not taken in charge by SDCC.*

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### *Parking*

#### *Cars*

*50 parking spaces are proposed in total.*

*Breakdown of parking spaces proposed:*

<b>Description</b>	<b>Number of spaces</b>
Car spaces	43
Electrical spaces	5
Mobility impaired	2
<b>Total</b>	<b>50</b>

*The maximum car parking spaces calculated in conjunction with SDCC CDP 2016-2022 Table 11.23: Maximum Parking Rates (Non-Residential) are as follows:*

<b>Description</b>	<b>Area sqm</b>	<b>Car parking</b>	
		<b>SDCC Rate Zone 2</b>	<b>Calculated</b>
Storage	8384	1/200m <sup>2</sup> GFA(Retail WH)	43
Retail	124m <sup>2</sup>	1/35m <sup>2</sup> GFA	4
Reception/Office	247m <sup>2</sup>	1/75m <sup>2</sup> GFA	3
<b>Total</b>	<b>8620m<sup>2</sup></b>		<b>50</b>

*Roads Department considers the provision of 50 carpark spaces to be appropriate, though one additional mobility impaired space to be provided in the basement parking lot.*

### *Bicycles*

*11 Sheffield Bike Stands (2 bikes per stand; giving 22 parking spaces in total) are proposed.*

*The minimum Bicycle Parking rates calculated in conjunction with SDCC CDP 2016-2022 Table 11.22:*

*Minimum Bicycle Parking Rates are as follows:*

<b>Description</b>	<b>Area sqm</b>	<b>Bicycle parking</b>	
		<b>SDCC Rate Zone 2</b>	<b>Calculated</b>
Storage	8620m <sup>2</sup>	1/200m <sup>2</sup> GFA(WH)	43
<b>Total</b>	<b>8620m<sup>2</sup></b>		<b>43</b>

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*Roads Department is not satisfied with the proposed total, and recommends min 10 Bike Stands are located to the front of the building, and that min 10 Bike Stands are located as secure/long term bike parking within the basement carpark (40no. spaces provided minimum)  
All outdoor Bicycle parking spaces must be covered.*

*Traffic & Transport Assessment (TTA)*

*The applicant has submitted a TTA (titled TAR – Traffic Assessment Report).*

*The report concludes as follows:*

- 5.4 This report demonstrates that the proposed Development will have an absolutely negligible impact upon the established local traffic conditions and can easily be accommodated on the road network without any capacity concerns arising.
- 5.5 The assessment confirms that the proposed access junction is of more than adequate capacity to accommodate the worst-case traffic associated with the proposed development during the selected year of opening and the design year 15 years following opening.
- 5.6 It is considered that there are no significant Operational Traffic Safety or Road Capacity issues, affecting the established road network, that prevent a positive determination of the application by South Dublin County Council.

*SDCC is satisfied with the report's findings.*

*Other items:*

*The attached documents did not include a public lighting design, bin storage and waste collection arrangement.*

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

1. *The applicant shall provide further detail regarding the shared access road with Johnson & Johnson/Abbott. A revised layout showing a two-way (access/exit) design through this shared access which shows traffic priority and proposed road line markings is required. Note that a written agreement between Johnson & Johnson/Abbott and the Developer/Owner of the proposed site shall be submitted to SDCC in the event of granting permission.*
2. *The applicant shall submit a revised layout showing an alternative "emergency access" route which is not shared with the Giraffe Childcare Facility. The current proposal aggravates the risk of an accident occurring on site, given both sites have different types of traffic activities.*



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3. *The applicant shall submit a revised layout showing, a demarcated pedestrian route and dropped kerbs within basement and surface carpark.*
4. *The applicant shall submit a revised car parking layout to include for an additional mobility impaired space to be located in the basement carpark.*
5. *The applicant to submit revised layout showing covered bicycle parking to front of building for min 10no. Sheffield Bike Stands, and for 10no Sheffield Bike Stands in basement parking area.*
6. *The applicant shall submit a revised layout showing, bin storage locations and waste collection arrangement.*

Conditions have been offered in the event of a grant of permission. However, having regard to the nature of the concerns raised, additional information should be sought in this instance.

The report from the Roads Department is noted. **These items should be requested via additional information.** Given the nature of the development (number of staff) the Planning Authority considers a reduction in bicycle parking from the minimum requirement (over 43 spaces) to be acceptable. The Planning Authority considers the proposed 22 spaces to be sufficient. In addition, the applicant should consider providing internal bicycle parking for staff members.

### ***Screening for Environmental Impact Assessment***

Having regard to the modest nature of the proposed development 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.

### ***Screening for Appropriate Assessment***

The applicant has provided a section on screening for Appropriate Assessment in the Planning Assessment. Having regard to the nature and scale of the development, and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

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### Conclusion

Having regard to the:

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

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

### Recommendation

Request Further Information.

### Further Information

Further Information was requested on the 13<sup>th</sup> of December 2021.

Further Information was received on the 27<sup>th</sup> of January 2022 (not deemed significant).

### Further Information Consultations

Water Services:	Clarification of additional information.
Irish Water:	No objection subject to conditions.
Roads Department:	No objection subject to conditions.
Public Realm Department:	Clarification of additional information.
Transport Infrastructure Ireland:	Report received.
Chief Fire Officer:	No report received.
County Architect:	No report received.
H.S.E. Environmental Health Officer:	No report received.

Transport Infrastructure Ireland (TII) have submitted a report stating that their position remains as set out in their letter dated the 22<sup>nd</sup> of November 2021. This letter stated that TII have no observations to make on the proposal.

### Assessment

#### ***Item 1 Requested***

*(1) Western Access - The Planning Authority remains concerned with the proposed access via the neighbouring childcare facility lands to the south-west of the site. Insufficient information has been provided in regard to the right the applicant may have to use lands outside their control for this access. However, even if this concern can be overcome the Roads Department still has concerns that this arrangement impacts traffic safety, especially given that both sites would have different types of activities. The applicant is requested, therefore, to submit a revised proposal that relocates this access to a more appropriate location in regard to traffic safety. It is*

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*likely that the proposed building and floor area will have to be reduced in size to make way for the revised emergency access. The applicant should liaise with the Roads Department prior to providing a response.*

*(2) Eastern Access - The proposal includes an access to the east via an existing internal access road on the neighbouring site to the east. Again, there are concerns in regard to control over this access and traffic safety. The applicant is requested to submit evidence that they have legal right to utilise this access. This might be in the form of a written letter, detail of any right of way(s) and/or drawings. A revised layout plan showing a two-way (access/exit) design through this shared access which shows traffic priority and proposed road line markings is requested and should form part of the response to this item of Additional Information.*

Assessment:

(1) The applicant has omitted the access via the neighbouring childcare facility lands. They advise that sufficient access to the building perimeter is provided for fire access without the need for the western access. The Roads Department and the Planning Authority are satisfied with this response.

(2) The applicant has provided information detailing that they have a legal right to use the internal access road. The information submitted states that the current owner of this access road is in the process of transferring over its interest to Liffey Valley Office Campus Management Company Limited and falls within the definition of 'Common Facilities' in the applicant's title lease. This title lease refers to the roads within the Liffey Valley lands that are not taken in charge by Council. It is considered that this item has been addressed given 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.

Drawings have been submitted showing the proposed layout of this eastern access. The Roads Department state that the applicant has submitted details of a three-way junction at this access. They state that a stage 2 road safety audit would be required to identify any traffic hazards associated with this junction. They suggest a condition to this effect is included in the event of a grant of permission. This is noted and should be conditioned as such.

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

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### *Item 2 Requested*

*The Planning Authority remains concerned with regard to the visual impact of the proposed design of the structure:*

*(1) The building would be higher and closer to the northern boundary than neighbouring buildings. The view from the N4 should be slightly redesigned to break-up the façade and introduce more articulation in the design (in its current design it would appear as a bulky development from this view). The applicant should consider providing a setback at the top to reduce the bulk of the building and the top of this setback could also be of a lighter colour. The applicant is requested to submit a revised proposal addressing this concern.*

*(2) The Planning Authority welcomes the redesign of the front elevation and considers that this somewhat addresses concerns in regard to the visual impact of the building when viewed from the front (south). However, the inclusion of brick (brick similar in colour to the brick structures located both to the east and to the west of the site) within the front (south) and side (east) façade would help strengthen the streetscape at this location and connect the three buildings (proposed and two existing structures). The applicant is requested to submit revised proposals for the southern and eastern façades that incorporate significant sections of brick materials within the design.*

### Assessment:

The applicant has submitted a revised proposal that includes a reduction in overall height by 2m and a setback at the top of the northern elevation with a light grey cladding. This is welcomed by the Planning Authority as it improves the overall visual impact of the proposed building. It goes some way to improving the visual impact of the building when viewed from the N4. However, it is considered that the building would still appear of a significant length and bulk when viewed from the north. Further consideration should be given to improving the articulation along the north elevation by breaking up the bulk of the building further. This might involve vertical colour/material changes or wall offsets.

The revisions have reduced the extent of the blue and yellow coloured cladding on the southern elevation. The applicant has noted these colours are associated with the branding of the business proposed to use the building. It is still not considered that the extent of these colours along the northern elevation are acceptable visually and in terms of the future adaptability of the building. The applicant should be given the opportunity to further reduce the extent of the blue and yellow cladding on the northern elevation. The result might be similar to how the corporate colours are proposed on the front elevation. **The proposed northern elevation, in terms of colour and bulk, should be addressed via clarification of additional information.**

The proposed building has been revised so that brick would be provided at ground floor level along the front elevation and parts of the side elevations. This ties it into the materials and finishes of existing neighbouring and surrounding buildings.

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It is noted that a revised proposed eastern elevation has not been submitted with the further information response. While this elevation can be viewed in the revised 3D renders, for the benefit of a full drawing package the applicant should be requested to submit this elevational drawing via **clarification of additional information**.

### ***Item 3 Requested***

*There are concerns with the reliance on underground attenuation tanks to manage surface water onsite. The surface water drainage proposal is not considered to be sustainable and conflicts with the County Development Plan. SDCC do not approve of underground tanks unless the full natural potential of the site to manage surface water runoff has been explored. The drainage proposals deliver no amenity or biodiversity. The applicant is requested to revisit the design and layout of the proposed development and to submit revised plans and particulars to include:*

*(a) Natural SUDS features shall be incorporated into the proposed drainage system. The SUDS shall be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022.*

*(b) The applicant shall show natural SuDS features for the development such as green roofs, grass areas, channel rills, swales, detention basins, attenuations ponds/reed bed/wetlands and other such SuDS and show what attenuation capacity is provided by such SuDS. The use of underground tanks should be avoided.*

*(c) A detailed SUDS scheme for the proposed development to be agreed with Public Realm. The SuDS features should be integrated into the landscape proposal with details provided on how they work and their attenuation capacity.*

### **Assessment:**

The applicant has submitted a revised proposal with an increased quantum of SuDS measures including, green roofs, swales within the link street grass verges, permeable paving in parking areas, tree pits, hydrobrake flow control device and petrol interceptor. The Public Realm Section have reviewed the further information submitted and request clarification on the following:

*The tree pit detail is inadequate. The applicant is requested to submit a tree pit detail that shows surface water runoff directed through the soil profile within the tree pit rather than directly underground, so it can be used for biodiversity, amenity and water treatment. The applicant is referred to the recently published SDCC Sustainable Drainage Explanatory Design and Evaluation Guide 2022 for appropriate details.*

The Public Realm Section also requests that, in the event of a grant of permission, the following condition is included:

### ***Existing Tree Protection***

*(a) In areas to be planted, any existing trees should be retained.*

*(i) Prior to the commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout tree protection fencing in accordance with BS 5837: 2012. This protective fencing shall enclose an area covered by the*

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*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.*

*(ii) 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.*

*(iii) 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.*

*(iv) Fencing to be in accordance with BS 5837: 2012 Trees in relation to Design, Demolition and Construction.*

**CONDITION**

*Reason: To ensure the protection of trees to be retained on site in the interests of climate adaptation, biodiversity, visual amenity, proper planning and sustainable development.*

Water Services has reviewed the further information and requests clarification regarding the following:

1. *It is unclear what areas of site are being attenuated by proposed attenuation system. Submit a revised drawing to show what areas of site are being attenuated by proposed attenuation system/s. The drawing should also show how and where each area of site is being attenuated. Show how much permeable paving in m<sup>2</sup> is used in attenuation calculations. Show what the total attenuation provided on site is in m<sup>3</sup> for both arched type attenuation and SuDS (sustainable Drainage Systems). If 343m<sup>3</sup> of surface water is proposed then the attenuation provided is undersized by approximately 44%. Prior to submission of additional information contact water services to discuss revised drawing and attenuation calculations.*

2. *Petrol interceptor/s shall be provided where required as per Section 20 of the Greater Dublin Regional Code of Practice for Drainage Works.*

The reports from Public Realm and Water Services are noted. The increased use of above ground SuDS measures are welcomed. Public Realm and Water Services have requested clarification on the detail regarding this. This should be addressed **via clarification of additional information**. The condition relating to tree protection should be included in the event of a grant of permission.

Irish Water has reviewed the further information submitted and has no objection subject to conditions relating to connection agreements. This report is noted and should be conditioned in the event of a grant of permission.

### ***Item 4 Requested***

*The Roads Department requests that the applicant submit the following:*

*(a) A revised layout showing, a demarcated pedestrian route and dropped kerbs within basement and surface carpark.*

*(b) A revised car parking layout to include for an additional mobility impaired space (3 in total) to be located in the basement carpark.*

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*(c) A revised layout showing additional bicycle parking spaces located internally for staff members of the development.*

*(d) A revised layout showing bin storage locations and waste collection arrangement.*

### Assessment:

A plan has been submitted detailing pedestrian routes, 3 no. mobility impaired parking spaces, internal bicycle spaces and a bin storage area. The basement car parking layout has been revised to provide for 3 no. mobility impaired parking spaces and parking spaces to the western side of the building (accessed via the basement). It is worth noting that the total number of car parking spaces has remained at 50 no. 5 no. internal bicycle parking spaces (as shown on the ground floor plan) would be provided in addition to the 20 no. external spaces. Given the nature and location of the development this is considered to be acceptable.

The Roads Department note that no refuse vehicle loading has been highlighted, although all refuse collection should be made off the public road. The Roads Department are satisfied with the response and recommend the following conditions:

- 1. Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.*
- 2. All external bicycle parking spaces shall be covered.*
- 3. Prior to commencement of development, a Stage 2 Road Safety Audit for the development shall be submitted and be agreed with the Roads Department*
- 4. A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority. REASON: In the interest of sustainable transport.*
- 5. A Public Lighting Design for the development must be submitted and agreed by the Public Lighting team of SDCC.*
- 6. Any utility poles to be relocated to rear of verge. Cost of such relocation to be borne solely by the applicant.*
- 7. All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.*
- 8. 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.*

### **Planning Note**

A report was received from the H.S.E. Environmental Health Officer, dated the 1<sup>st</sup> of December 2021, that states that the EHO finds the proposal acceptable subject to conditions relating to construction hours, construction and operation noise restrictions, refuse storage, emissions, construction best practice, grease traps, consultation prior to commencement regarding the café and water supply for the café. This report is noted and should be conditioned as such in the event of a grant of permission.

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### **Conclusion**

Having regard to the South Dublin County Development Plan 2016-2022, the established character of the area, and the nature and scale of the proposed development, it is considered that **Clarification of Additional Information** relating to the northern elevation and surface water drainage is required.

### **Recommendation**

Request Clarification of Additional Information.

### **Clarification of Additional Information**

Clarification of Additional Information was requested on the 23<sup>rd</sup> of February 2022. Clarification of Additional Information was received on the 4<sup>th</sup> of May 2022 (not deemed significant).

### **Clarification of Additional Information Consultations**

Water Services:	No objection subject to conditions.
Irish Water:	No objection subject to conditions.
Roads Department:	No AI items require clarification.
Public Realm Department:	No objection subject to conditions.

### **Assessment**

#### ***Item 1 Requested***

*The Planning Authority still has concerns in relation to the design and bulk of the building when viewed from the north (Additional Information Item 2). It is considered that the building would still appear of a significant length and bulk when viewed from the north. Further consideration should be given to improving the articulation along the north elevation by breaking up the bulk of the building. This might involve vertical material changes and/or wall offsets. It is also still not considered that the extent of the blue and yellow colours along the northern elevation are acceptable visually and in terms of the future adaptability of the building. The applicant is requested to further reduce the extent of the blue and yellow cladding on the northern elevation. A full set of revised drawings should be submitted, including a proposed eastern elevational drawing.*

#### Assessment:

The applicant has submitted a revised proposal that significantly reduces the amount of blue coloured cladding on the northern elevation and replaces to with a grey cladding. An area of blue cladding and a yellow stripe are proposed, for, as the applicant states, marketing purposes. They also note that painting over this type of cladding can be easily done, in terms of future adaptability. Glazing on this elevation has been altered including the addition of a glass corridor on the upper level. It is considered that these amendments successfully improve the design and



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bulk of the building on this elevation. The blue and yellow cladding is sufficiently reduced, and the revised design is considered visually acceptable.

The proposed signage on this elevation has been moved, however, is still the same size as previously proposed. The proposed signage is considered to be in compliance with Council policy. Any further signage should require further planning permission.

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

### ***Item 2 Requested***

*SDCC's Public Realm Section and Water Services have raised concerns in regard to detail of the response to Additional Item 3. The applicant is requested to submit clarification of additional information as follows:*

*(a) It is unclear what areas of site are being attenuated by proposed attenuation system. Submit a revised drawing to show what areas of site are being attenuated by proposed attenuation system/s. The drawing should also show how and where each area of site is being attenuated. Show how much permeable paving in m<sup>2</sup> is used in attenuation calculations. Show what the total attenuation provided on site is in m<sup>3</sup> for both arched type attenuation and SuDS (sustainable Drainage Systems). If 343m<sup>3</sup> of surface water is proposed then the attenuation provided is undersized by approximately 44%. Prior to submission of clarification of additional information contact Water Services to discuss revised drawing and attenuation calculations.*

*(b) The tree pit detail is inadequate. The applicant is requested to submit a tree pit detail that shows surface water runoff directed through the soil profile within the tree pit rather than directly underground, so it can be used for biodiversity, amenity and water treatment. The applicant is referred to the recently published SDCC Sustainable Drainage Explanatory Design and Evaluation Guide 2022 for appropriate details.*

*(c) Petrol interceptor/s shall be provided where required as per Section 20 of the Greater Dublin Regional Code of Practice for Drainage Works.*

### **Assessment:**

The applicant has submitted revised proposals from GDCL Consulting Engineers. This includes a report and revised drawings which show what areas of the site are being attenuated and updated attenuation calculations. A drawing has been submitted showing updated tree pit details. An updated drawing has been submitted to reflect the proposed petrol interceptor upstream of the outfall manhole of the surface water network.

The Public Realm Section have reviewed the information submitted and state that they have no objection subject to conditions:

### ***Main concerns:***

- 1. Impact on existing trees and biodiversity In areas to be planted, any existing trees should be retained. This will require the erection of tree fencing prior to construction.*
- 2. Implementation of landscape plans with integrated SuDS.*

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*The Public Realm Section has assessed the additional information for the proposed development in accordance with the CDP and best practice guidelines and recommends the following conditions are applied to any grant of permission:*

*1. Existing Tree Protection*

*a) In areas to be planted, any existing trees should be retained.*

*i) Prior to the commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout tree protection fencing in accordance with BS 5837: 2012. 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.*

*ii) 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.*

*iii) 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.*

*iv) Fencing to be in accordance with BS 5837: 2012 Trees in relation to Design, Demolition and Construction.*

**CONDITION**

*Reason: To ensure the protection of trees to be retained on site in the interests of climate adaptation, biodiversity, visual amenity, proper planning and sustainable development.*

*2. Landscape and SuDS*

*i) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.*

*ii) The landscape plans (Drawing No. 20-04-220, Oct 21) as submitted to the Planning Authority shall be carried out within the first planting season following substantial completion of overall construction works.*

*ii) All Planting shall be adequately protected from damage until establishment. Any plants which die, are removed or become seriously damaged or diseased, within a period of 3 years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.*

*iii) Installation of SuDS attenuation tree pits (Drawings P2005-C-205 and P2005-C-210 submitted to the Planning Authority in 4th May 2022 shall be supervised by the project landscape architect.*

*iv) The applicant's landscape architect shall provide a certificate of completion with the approved landscape proposals within six months of substantial completion of the development.*

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*Reason: In the interests of compliance with Development Plan Policy, the provision, establishment and maintenance of a reasonable standard of landscape; proper planning and sustainable development of the area and to ensure full and verifiable implementation of the approved landscape design.*

SDCC Water Services have reviewed the information submitted and states that they have no objection subject to conditions, including relocating the proposed petrol interceptor such that two petrol interceptors are provided.

Irish Water have no objection subject to standard conditions relating to connection agreements.

These reports are noted and should be conditioned as such in the event of a grant of permission. It is therefore considered that this item has been addressed subject to conditions.

### **Development Contributions**

Self-storage facility 8,008.15sq.m (as advised by applicant)  
Maximum car parking is provided.

### **SEA monitoring**

Building Use Type Proposed: Self-storage facility  
Floor Area: 8,008.15sq.m  
Land Type: Brownfield/Urban Consolidation.  
Site Area: 0.72 Hectares.

### **Conclusion**

Having regard to the:

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

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

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### **FIRST SCHEDULE**

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

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on the 27th of January 2022 and Clarification of Further Information received on the 4th of May 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. Irish Water Connection Agreement.  
Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.  
REASON: In the interest of public health and to ensure adequate water/wastewater facilities.
3. Drainage
  - (a) The proposed petrol interceptor shall be relocated such that two petrol interceptors are provided. One (petrol interceptor) shall be at the entry point of stormtech attenuation system west of site and another one located east of manhole S3 at the eastern side of site. This is required to minimise the risk of oil entering proposed surface water stormtech attenuation system. Petrol interceptor/s shall be provided where required as per Section 20 of the Greater Dublin Regional Code of Practice for Drainage Works.
  - (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.
  - (c) All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
  - (d) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

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4. Roads
  - (a) Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.
  - (b) All external bicycle parking spaces shall be covered.
  - (c) Prior to commencement of development, a Stage 2 Road Safety Audit for the development shall be submitted and be agreed with the Roads Department
  - (d) A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.
  - (e) A Public Lighting Design for the development must be submitted and agreed in writing with the Planning Authority.
  - (f) Any utility poles to be relocated to rear of verge. Cost of such relocation to be borne solely by the applicant.
  - (g) All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed.  
REASON: In the interest of sustainable transport and proper planning of the area.
5. Existing Tree Protection
  - (a) In areas to be planted, any existing trees should be retained.
    - i) Prior to the commencement of development, all trees, groups of trees, hedging and shrubs which are to be retained shall be enclosed within stout tree protection fencing in accordance with BS 5837: 2012. 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.
    - ii) 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.
    - iii) 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.
    - iv) Fencing to be in accordance with BS 5837: 2012 Trees in relation to Design, Demolition and Construction.  
REASON: To ensure the protection of trees to be retained on site in the interests of climate adaptation, biodiversity, visual amenity, proper planning and sustainable development.
6. Landscape and SuDS
  - i) Prior to the commencement of development, the applicant/developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer)

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as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.

ii) The landscape plans (Drawing No. 20-04-220, Oct 21) as submitted to the Planning Authority shall be carried out within the first planting season following substantial completion of overall construction works.

ii) All Planting shall be adequately protected from damage until establishment. Any plants which die, are removed or become seriously damaged or diseased, within a period of 3 years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

iii) Installation of SuDS attenuation tree pits (Drawings P2005-C-205 and P2005-C-210 submitted to the Planning Authority in 4th May 2022) shall be supervised by the project landscape architect.

iv) The applicant's landscape architect shall provide a certificate of completion with the approved landscape proposals to the Planning Authority within six months of substantial completion of the development.

**REASON:** In the interests of compliance with Development Plan Policy, the provision, establishment and maintenance of a reasonable standard of landscape; proper planning and sustainable development of the area and to ensure full and verifiable implementation of the approved landscape design.

### 7. Environmental Health

(a) No 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) and shall not exceed the background level for evening and night time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

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

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

(f) 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.

(g) A grease trap shall be installed and maintained on the drainage system as necessary in the kitchen area.

(h) The Environmental Health Department must be notified prior to commencement of the café development. Prior to commencement full consultation shall take place with the Environmental Health Department with regard to layout and proposed finishes.

(i) The water supply to the kitchen/food service areas shall be directly from the rising mains.

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

### 8. Restrictions on Signage.

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

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

### 9. Signage Not Internally Lit.

The proposed signage shall not be internally illuminated.

REASON: In the interest of residential amenity, and the proper planning and sustainable development of the area.

### 10. Prior to the occupation of the ground floor cafe unit, the following detail shall be submitted to and agreed in writing by the Planning Authority:

- a) Opening hours;
- b) Layout and window treatment.

Reason: To ensure a satisfactory standard of development and in the interest of the proper planning and sustainable development of the area.

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### **11. Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €790,884.89 (seven hundred and ninety thousand eight hundred and eighty four euros and eighty nine 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 applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

**NOTE:** The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

**NOTE:** A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.



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NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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**REG. REF. SD21A/0284**

**LOCATION: Site at Liffey Valley, Dublin 22**


*Colm Harte*

**Colm Harte,  
Senior Executive Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:**

31/5/22

  
**Eoin Burke, Senior Planner**