

Comhairle Chontae Atha Cliath Theas

PR/0872/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0141 **Application Date:** 16-May-2022
Submission Type: New Application **Registration Date:** 16-May-2022

Correspondence Name and Address: Aidan Kelly Molough, Newcastle, Clonmel, Co. Tipperary

Proposed Development: Construct agricultural shed incorporating loose and storage areas; wall manure area; hardcore area and access roadway; upgrading existing entrance and all associated site works.

Location: Brownsbarn, Lower Baldonnell, Co. Dublin

Applicant Name: Maurice Lyons

Application Type: Permission

(SW)

Description of Site and Surroundings

Site Area

Stated as 1.8ha

Site Description

The application site is located to the north / west of the Naas Road (approx. 110m), approximately 300m to the south of the R136 and Wilson's Auctions. A scaffolding business is situated between the application site and the N7, as is an open field. A granite specialist and civil engineering company and some isolated dwellings lie to the south. Some agricultural buildings lie to the north of the access road. A single dwelling is situated approximately 120m to the north west. The remainder of the surrounding lands are open.

Proposal

The application proposes the following:

- Construct agricultural shed incorporating loose and storage areas;
- wall manure area;
- hardcore area and access roadway;
- upgrading existing entrance and all associated site works.

Zoning

The application site is subject to zoning objective 'RU' – 'To protect and improve rural amenity and to provide for the development of agriculture'.

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SEA: Rural 2016, SFRA A, SFRA B.

Consultations

Irish Water: Request additional information

Irish Aviation Authority: No report received at time of writing

Inland Fisheries Ireland: No report received at time of writing

Department of Defence: No report received at time of writing

Water Services: Request additional information

Roads: Request additional information

Parks: Request additional information

Architectural Conservation Officer:

EHO: No objections, subject to conditions.

Submissions/Observations /Representations

None received.

Relevant Planning History

None recorded for subject site.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Section 4.6.0 Rural Economy

Policy ET9 Rural Economy

Section 6.4.4 Car Parking

Policy TM7 Car Parking

Section 7.5.1 Waste and Resource Policy and Legislation

Policy IE5 Waste Management

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 10.0 Energy

Policy E3 Energy Performance in Existing Buildings

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Section 11.2.8 Signage – Advertising, Corporate and Public Information
Schedule 6 Outdoor Advertising Strategy

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 11.6.3 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

Section 11.8.1 Environmental Impact Assessment
Section 11.8.2 Appropriate Assessment

Relevant Government Policy

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

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

Assessment

The main areas for assessment are the following:

- Zoning and Council Policy
- Residential Amenity and Public Health
- Visual Amenity
- Parking and Access
- Services and Drainage
- Parks and Landscaping
- Screening for appropriate assessment
- Screening for Environmental Impact Assessment

Zoning and Council Policy

The application site is subject to zoning objective 'RU' – 'To protect and improve rural amenity and to provide for the development of agriculture'. The proposed use would be for an agricultural shed

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incorporating loose and storage areas; wall manure area; hardcore area and access roadway; upgrading existing entrance and all associated site works. 'Agriculture' is permitted in principle under Table 11.16 of the CDP. The principle of the proposed development is therefore acceptable.

In terms of Council policy relevant to the rural nature of the site, consideration has been given to policy ET9 Rural Economy, which seeks to support rural enterprises whilst protecting the rural character of the countryside and minimising environmental impacts.

It is noted that the proposal is not an enterprise and would be used to house existing animals (currently held on fragmented land) during winter.

Residential Amenity and Public Health

The closest residential property to the site is the existing dwelling located to the south (approximately 110m away). There is also a residential property to the north west, approx. 120m away.

EHO officers have assessed the proposal in terms of public health and have no objections subject to conditions in relation to noise during construction and operation, the storage of refuse, noise and emissions. In the event that permission is granted these conditions are recommended.

Visual Amenity

Agricultural shed incorporating loose and storage areas

This would be located to the south of the application site and would consist of a monopitch structure with a height of 4.565m rising to 7.375m. It would be 24.01m long and 12.785m deep. There would be large loading doors on the east and west elevation. The plans indicate that the top element of the structure would be coloured green. It is indicated that the shed would be located at one of the lowest points in the farm, however, it is noted that there is not a significant change in levels across the site. The location chosen for the building is close to the existing scaffolding business boundary, which benefits from existing screening along the north and west boundary. The closest main viewpoint for the proposal would be the N7, which is situated at a higher level than the proposed development. Given the existing business and landscaping and the fact that the shorter elevation would front the N7, it is considered that the visual impact along the N7 would be acceptable. There are a number of smaller, rural roads surrounding the site. It is noted that more localised landscaping has been proposed and, subject to conditions securing appropriate screening, this element of the proposed development is considered to have an acceptable visual impact.

Wall manure area

The walled manure area would be located to the west of the main shed. It would be 2.2m high and 10.2m long on the north, south and west elevation. The east elevation would be open.

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Given the scale of this element of the proposal, it is considered acceptable.

Hardcore area and access roadway

These aspects are considered acceptable from a visual impact point of view.

Upgrading existing entrance and all associated site works.

There are concerns regarding the changes to the entrance. The Planning Authority is concerned regarding the visual impact surrounding the significant removal of existing hedgerow and it is the Planning Authority's preference that the hedgerow is retained.

It is noted that there are 2 tanks to the north of the manure area. Sections have been provided for these. The applicant is requested to provide full contiguous elevations for the proposed development that includes all features. It is noted that the effluent storage tank would be 10m and taller than the main building. This should be addressed via **additional information**.

Parking and Access

The Roads Department has assessed the proposal and has requested **additional information** as follows:

"The applicant/developer is requested to submit accurate plans demonstrating the provision of a visibility splay of 4.5m x 160m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right hand side of entrance and to the centreline of the road to the left hand side of the entrance (when exiting)".

It is the Planning Authority's preference that the existing hedgerow to the front of the site is retained. Therefore, the applicant is requested to clarify whether the proposed development would result in a significant change in traffic movements to the site. The site has an existing access and, should there not be a significant change, the existing access should remain as it is, without upgrading. **Additional information** is therefore requested.

Services and Drainage

Water Services has assessed the proposal and has requested **additional information** including:

- site specific soil percolation test results and design calculations for the proposed soakaway
- revised drawing showing plan and crosssectional views, dimensions, and location of proposed soakaway.
- Details of the distance between the foundation of development and existing stream
- Details of the distance between the proposed roadway and existing stream
- Details of flood risk

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Irish Water has also requested **Additional Information** including:

- a drawing showing the watermain layout of proposed development.
- Obtain a letter of agreement or email from Irish Water that the distance of proposed entrance wall to existing 200mm watermain north of site is acceptable to Irish Water. A drawing is also requested indicating same.

Parks and Landscaping

The Parks and Public Realm department has raised concerns regarding the lack of information in relation to existing trees and hedgerows within the site and within falling distance of the Proposed development. The proposed development involves the removal of mature native hedgerows and construction adjacent to existing trees and hedgerow. **Additional Information** has been requested.

Screening for Appropriate Assessment

On the basis of the information on file, which is considered adequate to undertake a screening determination and having regard to:

- the nature and scale of the proposed development,
- the intervening land uses and distance from European sites,
- the lack of direct connections with regard to the Source-Pathway-Receptor model,

it is concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

An appropriate assessment is not, therefore, required.

Screening for Environmental Impact Assessment

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

Other

Development Contributions

Agricultural Shed 402sq.m

SEA Monitoring Information

Building Use Type Proposed – Agricultural Shed

Floor Area (sq. m) - 402sq.m

Land Type - Greenfield

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Site Area (Ha.) - 1.8 hectares.

Conclusion

Having regard to the 'RU' zoning objective of the site, it is considered that the proposed development is acceptable in principle. However, further consideration is required for a number of matters, including access, visual impact and water services matters, in order to ensure that the proposed development would be in keeping with Council Policy and the sustainable planning and development of the area.

Recommendation

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

1. If the applicant is proposing to significantly increase traffic movements and, resultantly, alter the access, it is requested that the applicant submit accurate plans demonstrating the provision of a visibility splay of 4.5m x 160m in both directions from the entrance. Sightlines should be shown to the near side edge of the road to the right hand side of entrance and to the centreline of the road to the left hand side of the entrance (when exiting).

If the applicant is not altering the proposed access then revised plans are required that indicate this.

2. The applicant is requested to provide full contiguous elevations for the proposed development that includes all features, including any proposed site boundary treatment and landscaping.
3. a. There are no soil percolation test results, design calculations or dimensions submitted for the proposed soakaway. The applicant is requested to submit a report showing site specific soil percolation test results and design calculations for the proposed soakaway in accordance with BRE Digest 365 – Soakaway Design.
b. The applicant is requested to submit a revised drawing showing plan and crosssectional views, dimensions, and location of proposed soakaway. Any proposed soakaway shall be located fully within the curtilage of the property and shall be:
 - i) At least 5m from any building, public sewer, road boundary or structure.
 - ii) Generally, not within 3m of the boundary of the adjoining property.
 - iii) Not in such a position that the ground below foundations is likely to be adversely affected.
 - iv) 10m from any sewage treatment percolation area and from any watercourse /

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floodplain.

v) Soakaways must include an overflow connection to the surface water drainage network.

The applicant is requested to contact water services in SDCC (South Dublin County Council) prior to submission of above reports.

4. a. The applicant is requested to submit a drawing in plan and cross-sectional view showing the distance between the foundation of development and existing stream which passes through the site. The minimum setback distance to existing stream shall be 10m as per G3 Objective 2 of the South Dublin County Development plan 2016-2022.
- b. The applicant is requested to submit a drawing showing the location of proposed road pathway relative to existing watercourse on site. Note there shall be a minimum setback distance of 10m from the edge of the road to the top of the bank of any stream or watercourse on site.

The applicant is requested to contact water services in SDCC (South Dublin County Council) prior to submission of above reports.

5. a. The proposed development site is located within Flood Zone B according to OPW's (Office of Public Works) CFRAM maps, therefore the site is at risk from a 1 in 100 year (1%) AEP flooding event. The applicant is requested to submit a report and drawing showing details of the measures to mitigate the risk of flooding to the proposed development and to adjoining lands. Finished floor levels shall be above the closest known 1 in 100 year river flood level data point with appropriate freeboard.
- b. The applicant is requested to note that the proposal must fully comply with OPW Guidelines for Planning Authorities available at: <https://www.opw.ie/en/>
6. a. The applicant is requested to submit a drawing showing the watermain layout of proposed development.
- b. The applicant is requested to obtain a letter of agreement or email from Irish Water that the distance of proposed entrance wall to existing 200mm watermain north of site is acceptable to Irish Water.
- c. The applicant is requested to submit a drawing showing the distance of foundation of proposed entrance wall to existing 200mm watermain that complies with Irish Water Standards.
7. There are concerns about the lack of information in relation to existing trees and hedgerows within the site and within falling distance of the Proposed development. The proposed development involves the removal of mature native hedgerows and construction adjacent to existing trees and hedgerow.

If the applicant is seeking to upgrade / change the access as per Item (1) and remove hedgerow, then the applicant is requested to submit and agree a comprehensive Tree and

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Hedgerow Report. This should comprise a detailed Tree and Hedgerow Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, all in accordance with, BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report should be carried out by an independent, qualified Arborist and shall include all of the following:

- i) Tree Survey Plan: all trees and hedges on and adjacent to the subject site (i.e. within falling distance thereof) shall be accurately plotted, tagged and shown on a scaled drawing of a topographical survey of the site
- ii) Tree Survey Schedule: a summary of the surveyed trees and hedges, giving a breakdown of their tag nos., species, size, age, condition and useful life expectancy
- iii) Arboricultural Impact Assessment: a thorough, detailed and realistic analysis and assessment of the likely impacts of the proposed development on the surveyed trees and hedges; along with a summary table of the tree population and quantification of impacts/losses etc. (total number surveyed and total numbers/percentage to be retained and felled respectively).
- iv) Design Iteration - Adjustments, Revisions to Proposed Site Layout: subsequent to and arising from the Impacts Assessment, the applicant's design team [especially arborist, consulting architect(s) and engineer(s)] shall demonstrate in their submission, that it has sufficiently explored and investigated layout alternatives, to achieve an optimal solution that meets South Dublin County Councils Tree Strategy and its Development Plan standards in respect of tree preservation and tree retentions, as appropriate
- v) Tree Constraints Plan: a scaled site plan (1:500@A1) showing the impacts of all surveyed trees in relation to the site layout of the proposed development.
- vi) Tree Protection Plan: a scaled site plan (1:500@A1) of the proposed development, clearly showing and distinguishing (by colour coding) those trees and hedges to be retained and protected and those to be removed ; showing alignments of Tree Protection Fencing and areas to be excluded from construction activities and compound(s), site office(s), plant, equipment and materials storage. Root Protection Areas (RPAs') of all trees and hedgerows to be clearly shown on this drawing.
- vii) Arboricultural Method Statement: clear and practically-achievable measures to be used during the construction period, for the protection and management of all trees and hedges that are to be retained, as shown in the Tree Protection Plan.
- viii) Summary Table: Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages.
- ix) The applicant is requested to submit pictures of the existing trees/hedgerows subject to any tree protective fencing. This shall include a location map of where each picture was taken from.
- x) Trees and hedgerows within and within falling distance of the proposed development area to be surveyed.
- xi) The report should indicate what is proposed to mitigate proposed removals and protect

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that which is to be retained.

xii) A bond may be required, based on the results of the survey.

8. The applicant is advised that the South Dublin County Development Plan 2022 - 2028 was made by resolution by the Elected Members on June 22nd and will come into effect on August 3rd 2022. In accordance with Section 34 (2) of the Planning and Development Act 2000 (as amended), the Planning Authority will have regard to the South Dublin County Development Plan 2022-2028 as the development plan for the area when making decisions in relation to applications from August 3rd 2022.

In this context, the applicant is requested to provide a report demonstrating that the proposed development is in accordance with the South Dublin County Development Plan 2022-2028.

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REG. REF. SD22A/0141

LOCATION: Brownsbarn, Lower Baldonnell, Co. Dublin

Colm Harte
Colm Harte,
Senior Executive Planner

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

Date:

11/7/22

Eoin Burke
Eoin Burke, Senior Planner