

Comhairle Chontae Atha Cliath Theas

PR/0921/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0060 **Application Date:** 18-Feb-2022
Submission Type: Additional **Registration Date:** 22-Jun-2022
Information

Correspondence Name and Address: Barry Lyons Kruger Lyons Unit 202, Citywest
Business Centre, 3013 Lake Drive, Citywest, Dublin
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Proposed Development: Change of use of 464sq.m of warehouse mezzanine
storage, approved under planning reference
SD18A/0031, to office use, as well as associated and
ancillary internal works, elevational changes and
external ground works to facilitate this new use.

Location: Cloverhill Industrial Estate, Cloverhill Road, Dublin
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Applicant Name: Circet Networks (Ireland) Ltd.

Application Type: Permission

(SW)

Description of site and surroundings

Site visit: 28 March 2022

Site Area: 2.28 Hectares.

Site Description:

The existing site has a large double-height office building with a single-storey front reception area with bay windows. To the east side of the site is a large car parking area that was granted under SD18A/0288. The site is accessed from the north off the main vehicular access through the industrial estate. The western half of site is occupied by a large industrial building, with the north end of the site comprising mainly of industrial storage land.

Proposal:

- **Change of use of 464sq.m of warehouse mezzanine storage, approved under planning reference SD18A/0031, to office use, as well as associated and ancillary internal works, elevational changes and external ground works to facilitate this new use.**

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Zoning

The site is subject to zoning objective 'EE' – 'To provide for enterprise and employment-related uses.

Consultations

Water Services Department: - No objection, subject to conditions.

Irish Water - No objection, subject to conditions.

Roads Department – Additional information requested

Submissions/Observations /Representations

None received to date.

Relevant Planning History

SD20A/0034 – SDCC **Granted Permission** for Office accommodation extension to the rear of the existing office building (455sq.m at ground floor, 33.2sq.m at first floor); covered bicycle parking area to the front of the existing building 25.2sq.m; all necessary associated ancillary ground and drainage works.

SD18A/0288 – SDCC **Granted Permission** for additional car parking for staff use. Parking will be constructed in two phases providing 71 spaces (a nett increase in overall parking of 59 car park spaces). The order that the phases are constructed in will be determined by parking need at the time. The proposed works include all necessary associated ancillary ground and drainage works.

SD18A/0031 - SDCC **Granted Permission** Retention of change of use of 270.6sq.m of an existing warehouse to office space at ground floor level, and 454.8sq.m of mezzanine storage at first floor level overhead.

SD04A/0558 - SDCC **Granted Permission** for construction of an extension to the existing hard standing to the north of the existing Office/Warehouse building.

S99A/0224 - SDCC **Granted Permission** for Construct a concrete hard standing area to the north of the existing building, a loading ramp and the erection of new signage.

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

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

Section 4.1 South Dublin Enterprise and Employment Opportunities

A series of older industrial areas along the Luas Corridor, at Naas Road, Ballymount and Cookstown accommodate a diverse range of small and medium sized enterprises and industries. These areas, although large employment centres, are facing issues of evolutionary renewal. The Council will seek to support the regeneration of older industrial areas on a phased basis by promoting more intensive enterprise and/or residential led development at locations proximate to town centres and transport nodes.

Section 4.2.0 Strategic Policy for Employment

Policy ET1 Economic and Tourism Overarching Policies and Objectives

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

Policy ET3 Enterprise and Employment (EE)

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

ET3 Objective 4:

To direct light industry and logistics uses to enterprise and employment zones that are proximate to the strategic and national road network.

ET3 Objective 5:

To ensure that all business parks and industrial areas are designed to the highest architectural and landscaping standards and that natural site features, such as watercourses, trees and hedgerows are retained and enhanced as an integral part of the scheme.

ET3 Objective 6:

To ensure that business parks and industrial areas are designed to promote walking, cycling and public transport.

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

Section 7.5.1 Waste and Resource Policy and Legislation

Policy IE5 Waste Management

Section 7.6.0 Major Accidents Directive

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Policy IE6 Major Accidents

Section 7.7.0 Environmental Quality

Policy IE7 Environmental Quality

Section 7.8.1 Casement Aerodrome

Policy IE8 Casement Aerodrome

Section 8.0 Green Infrastructure

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 10.0 Energy

Policy E4 Energy Performance in New Buildings

Policy E5 Waste Heat Recovery & Utilisation

Section 11.2.1 Design Statement

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

Section 11.2.7 Building Height

Section 11.2.8 Signage – Advertising, Corporate and Public Information

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 Water Management

Section 11.6.3 Environmental Hazard Management

Section 11.6.4 Major Accidents – SEVESO Sites

Section 11.6.5 Waste Management

Section 11.6.6 Aerodromes

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

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Relevant Government Policy

Waste Management Plan for the Dublin Region 2005-2010, Dublin City Council, Dun Laoghaire-Rathdown County Council, Fingal County Council and South Dublin County Council, (2005)

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

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

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

National Cycle Manual – National Transport Authority (June 2011)

Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Visual and Residential Amenity
- Roads
- Services and Drainage
- Screening for Appropriate Assessment
- Environmental impact assessment

Zoning and Council Policy

The site is subject to zoning objective 'EE' – 'To provide for enterprise and employment-related uses. In the 'EE' land use zoning, 'Office 100sqm – 1,000sqm' is open for consideration and 'Office over 1,000sqm' is open for consideration, subject to compliance with the Economic and Tourism Policy in relation to office.

The application is for the conversion of existing mezzanine storage space to office space. The application site already has a number of office areas in place and/or approved under separate planning applications. The existing office breakdown is as follows:

- As per submitted plans – ground floor 339.45sq.m
- As per submitted plans – first floor 421.44sq.m
- As approved under SD20A/0034 - 513.4sq.m (this floorspace is not indicated on the current proposed plans)

The total existing/approved floorspace for offices is, therefore, 1,274.29sq.m

The existing mezzanine is 464sq.m. The proposed floorplans indicate that not all of this area would be taken up by offices, only two elements, a new 357.16sq.m open plan office and a 10.64sq.m 1 person office would be.

If the current application is approved, the permitted offices on site would total 1,642.09sq.m.

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It is noted that the floorspace for the existing building is 3,527.6sq.m (this does not include the extension approved under SD20A/0034).

The proposal therefore should be considered as 'Office over 1,000sq.m', which in the zoning should be assessed in accordance with Chapter 4 Economic Development & Tourism Policy for Offices over 1,000sq.m.

Policy ET1 states "*It is the policy of the Council to support sustainable enterprise and employment growth in South Dublin County and in the Greater Dublin Area, whilst maintaining environmental quality*".

ET1 Objective 6: To direct people intensive enterprise and employment uses such as major office developments (>1,000sq.m gross floor area) into lands zoned Town Centre and Regeneration Zones in Tallaght, lands zoned Town Centre in Clondalkin and also to lands zoned District Centre and Enterprise and Employment, and Regeneration Zones subject to their location within 400 metres of a high capacity public transport node (Luas/Rail), quality bus service and/or within 800 metres walking distance of a Train or Luas station, the latter requiring demonstration of required walking distance or provision of a permeability project, in accordance with the Permeability Best Practice Guide (2013), to achieve same.

The applicant has not provided an assessment in accordance with ET1 objective 6, and it requested to do so via **additional information**.

Visual and Residential Amenity

There would be no impact on visual or residential amenity as a result of the proposed development.

Roads

The Roads Department report states:

"The applicant has submitted details of the amount of vehicle parking at the development. they propose a GFA of 2,900m² which should provide 58no. vehicle spaces at a maximum under the development plan, the applicant has permission for 161no. under planning permission SD18A/0031. Roads are satisfied with the amount of spaces provided, but the applicant should provide details of the layout and location of the parking proposed. The amount of bicycle parking should be identified too".

Additional information has been requested.

Services and Drainage

Irish Water and Water Services have raised no objections, subject to conditions.

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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.

Environmental Impact Assessment

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

Development Contributions

Change of use from mezzanine storage (464sq.m) to:

- office 367.8sq.m
- meeting room 13.98sq.m
- tearoom 10.87sq.m

33.5sq.m would be retained as storage and the remainder of areas are for circulation / new stairs.

SEA Monitoring

Building Use Type Proposed change of use

Floor Area (sq.m) 464sq.m

Land Type Brownfield/Urban Consolidation

Site Area (Ha.) 2.28

Conclusion

Having regard to the 'EE' zoning objective of the site, 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 accordance with the South Dublin County Council Development Plan 2016-2022 and the proper planning and sustainable development of the area.

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Recommendation

Request additional information.

Additional information requested: 14 April 2022

Additional information received: 22 June 2022

Consultations:

Water Services: No report received at time of writing.

Roads: No objection, subject to conditions.

Irish Water: No report received at time of writing.

Parks: No objection, subject to conditions.

Assessment:

Item 1:

The proposed development, along with the offices permitted under SD20A/0034 would result in approximately 1,642sq.m of office space. The site is zoned 'EE' - To provide for enterprise and employment-related uses. Office development greater than 1,000sq.m is only acceptable in accordance with Chapter 4 Economic Development & Tourism Policy for Offices over 1,000sq.m.

Policy ET1 Objective 6 is 'To direct people intensive enterprise and employment uses such as major office developments (>1,000sq.m gross floor area) into lands zoned Town Centre and Regeneration Zones in Tallaght, lands zoned Town Centre in Clondalkin and also to lands zoned District Centre and Enterprise and Employment, and Regeneration Zones subject to their location within 400 metres of a high capacity public transport node (Luas/Rail), quality bus service and/or within 800 metres walking distance of a Train or Luas station, the latter requiring demonstration of required walking distance or provision of a permeability project, in accordance with the Permeability Best Practice Guide (2013), to achieve same'.

The applicant is requested to provide a map and statement indicating compliance with the above objective.

Applicant's response:

The applicant is no longer proposing to construct the extension granted under SD20A/0034. The proposed extension is smaller than the granted extension. The applicant developed a mobility management plan in Feb 2020, and it is proposed to implement this plan.

Assessment:

The construction of the proposed extension is considered acceptable in policy terms provided the applicant does not construct the offices approved under SD20A/0034. It is noted that the description of development does not refer to amending reg ref: SD20A/0034, however, given it would result in a reduction in development, there is no objection. A condition is recommended stating the applicant can construct only one extension. A condition linking to the mobility management plan is also recommended.

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Item 2:

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

Applicant's response:

Parking was previously granted under SD18A/0288. Phase 1 of the parking works have been completed on site. There are currently 138 spaces available on site and phase 2 of SD18A/0288 still allows for an additional 23 spaces nett to be constructed which would give a total of 161 spaces. The overall development when completes, now excluding the rear extension granted under SD20A/0034 would have a GFA of 2,412sq.m, which calculates to a maximum of 48 spaces under the development plan. This total is more than satisfied with the current provision of 138 spaces. Plans of existing parking at 1:150 provided.

12 cycle spaces required based upon floor area. Currently space for 10. It was proposed to enclose this area under SD20A/0034 and add additional spaces. It is proposed to include this enclosure and extension and planning drawings have been updated to reflect this.

Assessment:

Roads has stated *"The applicant has submitted details of the car parking layout and the roads department are satisfied with the submission. They have submitted details of the bicycle parking provision and proposals to cover these spaces"*.

Parks has stated *"With respect to the car park, the tree protection and landscape conditions for SD18A/0288 which granted permission for the car park shall apply"*. It is noted that the proposed development would not amend any features approved under SD18A/0288 and the conditions relating to that application should be complied with separately.

Subject to a condition regarding parking, the proposed development is considered acceptable.

Development Contributions

Change of use from mezzanine storage (464sq.m) to:

- office 367.8sq.m
- meeting room 13.98sq.m
- tearoom 10.87sq.m

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Conclusion

Having regard to the

- 'EE' zoning objective of the subject site,
- the policies and objectives of the South Dublin County Council Development Plan,
- the surrounding land uses,
- the various consultation reports received from various South Dublin County Council departments and prescribed bodies,
- the additional information submitted

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.

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.
 - (i) 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 22 June 2022, save as may be required by the other conditions attached hereto.
 - (ii) In accordance with the submitted further information response, this permission shall only be implemented if the SD20A/0034 permission is not carried out.

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

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2. Mobility Management Plan.

Prior to the commencement of development, the applicant shall submit the Mobility Management Plan, prepared in February 2020 by Stephen Reid Consulting to the Planning Authority. The applicant shall implement all measures outlined in Mobility Management Plan.

REASON: In the interests of sustainable transport.

3. Parking.

The applicant shall provide 5% of vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces shall be equipped with electrical charging points.

REASON: In the interest of sustainable transport.

4. Drainage - Irish Water.

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

(b) The Developer shall ensure that there is complete separation of the foul and surface water drainage systems within the site, both in respect of installation and use.

(c) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works which can be viewed/downloaded from the South Dublin County Council website at the following link

<http://www.sdcc.ie/sites/default/files/publications/greater-dublin-regional-code-ofpractice-for-drainage-works.pdf>

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.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

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

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

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from the construction works.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

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REG. REF. SD22A/0060

LOCATION: Cloverhill Industrial Estate, Cloverhill Road, 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:

19/7/22

Eoin Burke
Eoin Burke, Senior Planner