

Comhairle Chontae Atha Cliath Theas

PR/1001/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0270 **Application Date:** 13-Jun-2022
Submission Type: New Application **Registration Date:** 13-Jun-2022

Correspondence Name and Address: John Spain Associates 39, Fitzwilliam Place, Dublin 2

Proposed Development: The provision of an amended junction and new link road from the existing Clonlara Road to the currently undeveloped lands with Enterprise and Employment zoning objective South of the Camac River and North of the N7 National Route. Interim measures are included within the application to block access to the new road until such time as the undeveloped lands are developed. All associated landscaping, infrastructure and site development works to facilitate the development.

Location: Townlands of Moneenalion Commons Upper, Brownsbarn and Collegeland, Baldonnell Business Park, Dublin 22

Applicant Name: MLEU Dublin 3 Limited and Charles Greene

Application Type: Permission

(EW)

Description of Site and Surroundings

Site visit: 08/08/2022

Site Area Stated as 0.16 hectares.

Site Description :

The subject Baldonnell Business Park lands comprised of a warehouse / logistics unit, which is currently under construction. The wider site consists of a partly undeveloped greenfield site located within the townlands of Moneenalion Commons Upper and Brownsbarn.

The subject site is from the Phase 2 lands at Clonlara Road into a portion of lands on the eastern side of the Camac within the Baldonnell Business Park, Phase 2 lands are located between Casement Aerodrome and the Camac River. The Camac River flows from the south at Saggart under the N7 and along the eastern boundary of the Phase 2 lands. The Camac River runs along the boundary of the site with Baldonnell Business Park. The site is accessed via Clonlara Road, a roadway along the south-eastern boundary which serves the business park.

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Proposal:

- The provision of an amended junction and new link road from the existing Clonlara Road to the currently undeveloped lands with Enterprise and Employment zoning objective South of the Camac River and North of the N7 National Route.
- Interim measures are included within the application to block access to the new road until such time as the undeveloped lands are developed. All associated landscaping, infrastructure and site development works to facilitate the development.

Zoning and Development Plan Map:

The lands are designated 'EE' – to provide for employment and enterprise related uses.

The Site is located within the Department of Defence Inner Zone and noise significant boundary. Part of the site is within the Department of Defence Security Zone.

IE4 SLO 1: To require the preparation of a site and catchment specific Flood Risk Assessment and Mitigation Strategy, prepared by a qualified person(s), to be submitted with any proposal for development on the 'EE' zoned lands at Moneenalion Commons Upper, Baldonnell.

Consultations

Roads –	No objections subject to conditions.
Transport Infrastructure Ireland –	No observations.
Environmental Health Officer –	No objections
Irish Water –	Further Information Requested
Water services –	Further Information Requested
Parks –	No objections
NTA -	No comments received.
Department of Defence -	No objections subject to conditions.

SEA Sensitivity Screening Indicates overlap with:

- SFRA A layer
- SFRA B layer.

Submissions/Observations /Representations

None received.

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Relevant Planning History

SD22A/0125: 2 halo illuminated signs to the southern and northern elevations of Unit D and all associated works.

Decision: Grant permission, subject to conditions.

SD21A/0363: Plant and associated development for the permitted and under construction Unit D (Reg. Ref. SD19A/0370, Reg. SD20A/0215 and Reg. SD20A/0319; works to include 4 air handling units, 2 climate control condensers, 1 transformer, 1 container pump house, 1 sprinkler tank and all associated works including the reduction in car parking by 3 spaces on a site located between the Casement Aerodrome and the N7 national route.

Decision: Grant permission, subject to conditions.

SD20A/0319: Amend permitted logistics/warehouse units C and D and incorporate other amendments, providing for a resultant; Unit C, 7,937sq.m including 757sq.m ancillary office space (permitted 11,492sq.m total); Unit D, 12,050sq.m including 911sq.m ancillary office space (permitted 7, 856sqm total); Overall increase of 639sq.m for Units C and D; provision of maintenance ramp to swale; resultant amendments to site layout, minor revisions to flood mitigation strategy, yards, elevations, signage, internal road layout, landscaping, ground works, drainage, gates, fencing, services and utilities and all associated and ancillary site development works at a site at the townlands of Moneenalion Commons Upper, Brownsbarn and Collegeland, Baldonnell Business Park and is located between the Casement Aerodrome and the N7 national route and comprising of amendments to the second phase of development permitted under Ref. SD19A/0370 & SD20A/0215.

Decision: Grant permission, subject to conditions.

SD20A/0215: The construction a logistics/warehouse unit (Unit E) southwest of Mountpark Baldonnell Phase 1 and west of the older original Business Park, Unit E will comprise of a GIA 60,747sq.m (including 2,020sq.m of ancillary office space and 4,802sq.m of other ancillary areas); Provide for 340 car parking spaces, 22 motorcycle parking spaces and 160 bicycle spaces to serves the proposed development; Flood mitigation works to store and attenuate flood flows from the River Camac; Formations of plateaux on the site with surplus excavated material to allow for future development of Unit F; Access to the site will be from the existing Phase 1 development (referenced above) located on Clonlara Road; amendments to the yard and entrance arrangement for permitted Unit D are proposed (SD19A/0048); All ancillary landscaping, internal roads, associated infrastructure and buildings and site development works to support the development which is primarily greenfield and located between Casement Aerodrome and the N7 national route. The proposal will form part of the second phase of development to that permitted under SD19A/0370 and Phase 1 under SD15A/0309 (ABP Ref. PL06S.246392), as amended by permissions SD17A/0362, SD18A/0266 and SD19A/0048. An Environmental

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Impact Assessment Report (EIAR) will be submitted to the Planning Authority with the planning application.

Decision: Grant permission, subject to conditions.

SD19A/0370: Construction of two logistics/warehouse units (Unit C & D) southwest of Mountpark Baldonnell Phase 1 and west of the older original Business Park. Unit C will comprise of a GIA 11,492sq.m (including 592sq.m of associated office space); Unit D will comprise of a GIA 7,856sq.m (including 400sq.m of associated office space); provide for 193 car parking spaces and 56 bicycle spaces to serve the proposed development; flood mitigation works to store and attenuate flood flows from the River Camac; formation of plateaus on the site with surplus excavated material to allow for future development; access to the site will be from the existing Phase 1 development located on Clonlara Road; all ancillary landscaping, internal roads, associated infrastructure and site development works to support the development; the site is primarily greenfield and located between Casement Aerodrome and the N7 national route; the proposal will form a second phase of Development to that permitted under SD15A/0309 (ABP Ref. PL06S.246392) as amended by permissions SD17A/0362, SD18A/0266 and SD19A/0048; An Environmental Impact Assessment Report (EIAR) is submitted with the planning application.

Decision: Grant permission, subject to conditions.

Wider Subject Site

SD21A/0230: Construction 2 logistics/warehouse units (Unit F and Unit G amounting to 15,168sq.m GIA in total) south west of Mountpark Baldonnell Phase 1 and west of the older original Business Park; Unit F will comprise a GIA 6,463sq.m (including 568sq.m of ancillary office space), 65 car parking spaces and 20 bicycle spaces; Unit G will comprise a GIA 8,705sq.m (including 608sq.m of ancillary office space) 87 car parking spaces and 28 bicycle spaces; flood mitigation measures as permitted under SD20A/0215 and SD20A/0319 will service the development and are under construction; access to the site will be from the existing Phase 1 development (referenced below) located on Clonlara Road; totem wayfinding signage; all ancillary landscaping, PV panels; internal roads, associated infrastructure and buildings and site development works to support the development at the townlands of Moneenalion Commons Upper, Brownsbarn and Collegeland, Baldonnell Business Park, Dublin 22; the site is primarily greenfield and located between Casement Aerodrome and the N7 national route; the proposal will form part of the second phase of development to that permitted under SD20A/0215, SD19A/0370 and Phase 1 under SD15A/0309 (ABP Ref. PL06S.246392), as amended by permissions SD17A/0362, SD18A/0266 SD19A/0048 and SD20A/0319; an Environmental Impact Assessment Report (EIAR) will be submitted to the Planning Authority with the planning application.

Decision: Grant permission, subject to conditions.

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SD19A/0048: Amendments in the vicinity of a permitted bridge as part of a logistics/warehousing scheme permitted under Reg. Ref. SD15A/0309 (An Bord Pleanála Ref. PL06S.246392) as subsequently amended by Reg. Ref. SD17A/0362 and SD18A/0266 as follows: (1) minor relocation of the permitted bridge south and associated permanent diversion of watercourse (Camac); (2) provision of roundabout with interface to existing Business Park Road; (3) resultant amendments internal road layout, landscaping, ground works, drainage, services and utilities and all associated and ancillary site development works. A Natura Impact Statement has been prepared in respect of the proposed development and will be submitted with the planning application. (Clonlara Road is located to the south of the site and Casement Aerodrome is located to the north).

Decision: Grant permission, subject to conditions.

SD18A/0266: Amendments to the permitted logistics/warehousing scheme under SDCC Ref: SD15A/0309 (An Bord Pleanála Ref. PL06S.246392), as subsequently amended by SDCC Ref. SD17A/0362. The proposed amendments relate primarily to permitted Unit B and Unit C and consist of: (1) Omission of Unit C and provision of enlarged Unit B (increasing from 10,967sq.m GFA to 18,617sq.m GFA) with a height of c. 17.65m including mezzanine level. The previously permitted Units A, B and C resulted in a total of 32,771sq.m. The proposed units A and B result in a total of 29,454sq.m. which results in an overall reduction of 3.317sq.m. GFA. (2) The proposed Unit B incorporates 690sq.m GFA of ancillary office space (a reduction of 386sq.m compared to the combined permitted ancillary office space within permitted Unit B and C). (3) Omission of one vehicular entrance and associated bridge between permitted Unit B and C and replacement with two vehicular entrances and associated bridges to either side of proposed Unit B. (4) Relocation sub-station. (5) Reduction in car parking spaces from 329 to 235; 54 bicycle parking spaces are proposed to service Unit B. (6) Resultant amendments to site layout, yards, elevations, signage, internal road layout, landscaping, ground works, drainage, gates, fencing, services and utilities and all associated and ancillary site development works.

Decision: Grant permission, subject to conditions.

SD17A/0362

Moneenalion Commons Upper, Baldonnell Business Park, Dublin 22

The development at this 13.4 ha site will consist of amendments to the permitted scheme under South Dublin County Council Reg. Ref. SD15A/0309 (An Bord Pleanála Ref. PL06S.246392) as described in the following: (1) Increase in height of Units A, B & C by 1.95 m to a maximum height of 16.3m; (2) Minor elevational amendments and associated consequential works. Clonlara Road is located to the south of the site and Casement Aerodrome is located to the north.

Decision: Grant permission, subject to conditions.

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SD17A/018 Retention permission for site clearing and placing of unmetalled surfacing of the site over 9,700sq.m to facilitate HGV parking over 3,128sq.m and retention of temporary site entrance/exit as an interim access/egress subject to permanent replacement gates as described below: Permission for: (1) Additional HGV parking on 1,360sq.m of unmetalled surfacing; (2) temporary office/staff facilities building (56.3sq.m, 3.60m high) for period of 5 years with associated car parking ancillary to the HGV parking activity; (3) 2 entrance/exit gates including boundary fencing to the sites north east boundary fronting the estate access road (Clonlara Avenue); (4) perimeter landscaping throughout; (5) aggregate storage bays 400sq.m, 3.00m high to rear of site for temporary storage of 'in transit' aggregates periodically; (6) HGV wash bay plus site drainage including surface water runoff infiltration trenches to unmetalled yard and attenuation facility; (7) all associated site development works and utilities.

Decision: Grant permission and grant retention.

SD15A/0309, ABP Ref PL06S.246392 - Moneenalion Commons Upper, Baldonnell Business Park, Dublin 22

Demolition of existing pre-fab building of 39.4sq.m. The construction of 3 units for light industrial and logistics/warehouse use ranging in size from 10837sq.m to 10967sq.m (with option to subdivide subject to tenant requirements). The GFA of the development is c 32,711sq.m including 1,569sq.m of ancillary office floor space. The development is served by service yards and 329 car park spaces and 73 bicycle spaces. The maximum parapet height of the units is 12.65 meters. Access to the site is from Barney's Lane and Clonlara Road and will include new access bridge to Unit B & C. Development to include attenuation measures including detention basin located to the south east of the site. The development also includes 2 substations with internal switch rooms and plant, all site development works, landscaping and associated boundary treatment and all other ancillary works.

Decision: Refused by the SDCC for five reasons (all flooding related).

Granted by the Board subject to 17 conditions, following a first party appeal, by order dated 13th April 2017.

S00A/0371 - *Site C, Baldonnell Business Park, Brownsbarn, Co. Dublin.*

Science and technology based enterprise/office based industry development, including landscaping and associated site development comprising 3 no. three storey office blocks with 176 surface car parking spaces.

Decision: Grant Permission

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S00A/0144 - *Baldonnell Business Park, Barney's Lane, Brownsbarn, Co. Dublin.*

An E.S.B. Sub-station building with associated site works.

Decision: Grant Permission

Relevant Enforcement History

None traced to subject site.

Pre-Planning Consultation

PP115/21 - Proposed link road and associated works to provide access to undeveloped lands. (*PP lodged but never took place*)

Relevant Policy in South Dublin County Council Development Plan (2022-2028)

Policy EDE1: Overarching

Support sustainable enterprise and employment growth in South Dublin County recognising the County's role in the Dublin region as a driver of economic growth.

Policy QDP7: High Quality Design – Development General

Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

Policy GII: Overarching

Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.

9.0.4 Overarching Policy

Policy EDE1: Overarching Support sustainable enterprise and employment growth in South Dublin County recognising the County's role in the Dublin region as a driver of economic growth

EDE1 Objective 1: To enable a strong, inclusive and resilient economy, supported by enterprise, innovation and skills through the creation of places that can foster enterprise and innovation and attract investment and talent, consistent with National Strategic Outcomes 4, 5 and 6 of the NPF.

EDE1 Objective 2: To develop and support the Dublin Metropolitan Area Strategic Plan (MASP) through growth in the identified strategic development and employment areas of South Dublin County, as part of the growth of the Dublin Region to a sufficient scale and quality to

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compete internationally and to be drivers of national and regional growth, investment, and prosperity consistent with NSO 5 of the NPF.

EDE1 Objective 3: *To ensure that there is a sufficient supply of zoned and serviced lands at suitable locations to accommodate a range of enterprise and employment development types and to promote compact growth by strengthening the integration between employment, housing and transportation.*

EDE1 Objective 4: *To support the implementation of the RSES Economic Strategy to create economic opportunity to diversify local and rural economies and create quality jobs, to achieve a sustainable, competitive, inclusive, and resilient region, through the promotion of; à Smart Specialisation for industry, enterprise agencies, Higher Institutes of Education, communities, and stakeholders; à Clustering: Create, maintain, or upgrade economic strongholds in a favourable business ecosystem; à Orderly Growth reflecting the identified strategic employment locations within the County; à A broad, resilient, economic base.*

9.2 South Dublin County Employment Themes

Economic policy in this Development Plan reflects the overarching themes of climate change and placemaking and integrates National and Regional direction into policy at a county level.

This is supported in the following four economic policy areas for the Plan:

- 1. Green and Innovative Economy;*
- 2. Urban Growth, Regeneration and Placemaking;*
- 3. Building on Clusters; and*
- 4. A Learning Economy*

Policy IE1: *Overarching Policy Ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.*

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.2 Green Infrastructure and Development Management

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13.7.2 Enterprise and Employment Areas: Key Principles for Development within Enterprise and Employment Zones

Access and Movement

- Major links to and through a site are provided as identified within the County Development Plan or relevant Local Area Plan, Masterplan and/or as determined by a site analysis process and/ consultation with the planning authority.
- The street network is easy to navigate with a clear hierarchy of streets identifying the function of each street.
- Individual streets are designed in accordance with the requirements of the (DMURS) Design Manual for Urban Roads and Streets.
- Large areas of parking (in particular staff parking) are located to the rear of buildings and screened from the street. Smaller areas of parking may be located to the front of buildings provided they are well designed (including areas of planting) and do not result in excessive setbacks from the street.
- The design and layout of new business parks shall promote walking, cycling and the use of public transport, including adequate provision of cycle and pedestrian linkages.

Open Space and Landscape

- Provision of a detailed landscape plan showing site appropriate open space which may include a hierarchy of spaces suited to a variety of functions and activities. The landscape plan will also incorporate GI elements (see GI below).
- Important nature features of the site such as trees, hedgerows and watercourses are retained, integrated within the landscape plan and reinforced with the planting of native species.
- Natural buffer zones and defensive planting are used to define private space and the use of fencing to the front of buildings minimised. Where fences interface with the public domain they should be of a high quality and incorporate elements of landscaping (for screening).
- Development within business parks shall maintain and promote a parkland-like setting with high quality landscaping.

Green Infrastructure

- Policy GI1: Overarching Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and

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recreation, biodiversity protection, water quality, flood management and adaptation to climate change.

Relevant Government Guidelines

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

Regional Planning Guidelines for the Greater Dublin Area 2010-2022, Dublin Regional Authority & Mid-East Regional Authority, (2010).

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

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)

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

Regional Planning Guidelines for the Greater Dublin Area 2010-2022, Dublin Regional Authority & Mid-East Regional Authority (2010)

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

Assessment

The main issues for assessment are:

- Zoning and council policy,
- Visual impact,
- Site context
- Access and Roads,
- Landscaping,
- Water Services and Drainage,
- Appropriate assessment,
- Environmental Impact Assessment.

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Zoning and Council Policy

The site is located in an area zoned EE – warehousing development with ancillary office use is 'permitted in principle' within the zoning matrix. Numerous warehouses have been granted planning permission within the business park which has established an acceptable precedent and the road layouts that coincide with development. The principle of the proposed amended junction and new link road within this EE zoned land is considered acceptable at this location which is regarded as ancillary to the permitted surrounding warehouse development and for future access to the undeveloped lands south of the Camac River and North of the N7, subject to compliance with the relevant policies, standards and requirements of the current South Dublin County Council Development Plan 2022-2028, the principle of the proposed retention is acceptable.

Visual Impact

The principle of the overall development would coincide and is considered ancillary with that of the phases already granted planning permission. It is not considered that the proposed development would exacerbate any negative impact within the Baldonnell Business Park and will support future development within the EE zoned lands. The proposal will avoid disruption at later stages of development and provide the link road from the existing Clonlara Road to the currently under-development lands with Enterprise and Employment zoning objectives south of the Camac River.

In general, the overall road layout of the development fully contained within the existing built industrial site location would not be inconsistent with the surrounding land uses and would be consistent with the phases already granted planning permission within the Baldonnell Industrial estate. It is considered that the development, would not have an undue negative visual impact.

Site Context Proposal

The proposed site as noted from *Punch Consulting Engineering* dated 13th June 2022 is located site is located on agricultural lands. It is bounded by existing and under construction logistics / warehouse development to the north and east, and agricultural / ongoing construction works to the west and south. The river Camac flows parallel to the proposed road. The topography of the site is relatively flat. Access to the development will be via the existing private road (Clonlara Road) within the Baldonnell Business Park. The proposed development consists of the construction of a single carriage circa 54m long 2-way access road and footpath, along with foul and surface water sewer networks which will serve future developments located to the southwest of the site.

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As stated in South Dublin County Council Development Plan (2022-2028) under 13.7.2 *Enterprise and Employment Areas: Key Principles for Development within Enterprise and Employment Zones*

- Access and Movement
- *Major links to and through a site are provided as identified within the County Development Plan or relevant Local Area Plan, Masterplan and/or as determined by a site analysis process and/ consultation with the planning authority.*

And Objective:

- EDE1 Objective 3: *To ensure that there is a sufficient supply of zoned and serviced lands at suitable locations to accommodate a range of enterprise and employment development types and to promote compact growth by strengthening the integration between employment, housing and transportation.*

Phase 1(North Mountpark): The Applicant was granted permission under SD15A/0309(ABP Ref PL06S.246392) for three warehouse units in Mountpark Baldonnell, north of Clonlara Avenue and amended under (SD17A/0362, SD18A/0266 and SD19A/0048).

Phase 2 (South Mountpark): The applicant was granted permission under SD19A/0370 for two warehouse / logistic units. Units C and D were swapped under revisions SD20A/0319. Beyond west Unit E for two additional units F and G were granted permission under SD21A/0230. Given the land is zoned EE and the proposed development is situated within existing industrial areas, the proposed construction of the link road before the completion of the adjacent units will ensure disruption is avoided at a later stage in the Mountpark Development and promote compact growth by strengthening the integration between employment lands.

Access and Roads

The Roads Department has reviewed the proposed development and has no objections, stating the following:

The amendment of an existing junction to provide a link road to undeveloped lands. While the layout of the junction is not ideal the sight lines and low speed limits of the road should provide a safe access. The future use of the proposed link road is not clear but considering the autotrack shows HGV movements it can be concluded that it will be industrial.

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No Roads objections subject to the following conditions:

1. Any road marking proposed and or to be installed shall comply with most up to date **Chapter 7 (ROAD MARKINGS) of the Traffic Signs Manual.**
2. Any road sign proposed and or to be installed shall comply with most up to date **Chapter 6 (WARNING SIGNS) of the Traffic Signs Manual.**
3. Any road sign proposed and or to be installed shall comply with most up to date **Chapter 5 (REGULATORY SIGNS) of the Traffic Signs Manual.**
4. 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.

Having regard to the content of the Planning Report prepared by John Spain and Associates and *Punch Consulting Engineering* dated 13th June 2022, the Planning Authority is satisfied that the proposed link road is in compliance with the South Dublin County Development Plan 2022-2028, a grant of permission is recommended.

Services and Drainage

Having regard to the SEA Sensitivity Screening Indicates overlap with: SFRA A layer and SFRA B layer.

And coinciding with IE4 SLO 1: To require the preparation of a site and catchment specific Flood Risk Assessment and Mitigation Strategy, prepared by a qualified person(s), to be submitted with any proposal for development on the 'EE' zoned lands at Moneenalion Commons Upper, Baldonnell.

The applicant has submitted a Floor Risk Assessment, as noted from *RPS* dated June 2022. '*A Flood Risk Management (FRM) strategy and resulting mitigation measures were proposed and constructed on site in 2021-2022. Modelling of the proposed development with the FRM system in place demonstrates that the proposed site for the link road is not at risk of flooding*'.

The Water Services Department have requested Additional Information on the following:

- 1.1 It is unclear what surface water attenuation is required or what is provided for proposed development. Submit a drawing and report to show in m³ what surface water attenuation is required and what is provided for proposed development.

It is considered that prior to commencement of Development that applicant shall be requested by **condition** to submit the above requirements to the planning authority.

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Irish Water have no objections subject to standard conditions regarding standard codes and practices.

Landscaping

The Parks and Public Realm Department report states no objections and has assessed for the proposed development in accordance with the previous County Development Plan 2016-2022 and best practice guidelines and recommends the following conditions should permission be granted:

1. Tree Protection

The applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the Tree Protection Plan as per Cunnane Stretton Reynolds Drawing no. 18417C_T_103, as submitted on and Arboricultural Report as submitted on 13th June 2022. Tree Protection measures to extend to any hedgerows on site.

Prior to the commencement of development, the arborist shall submit photographs and confirmation that fencing for retained trees meets BS5837:2012 "Trees in Relation to Design, Demolition and Construction – Recommendations" for the written agreement of the Public Realm Section.

All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.

The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate is to be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the planning authority for written agreement upon completion of the works.

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

2. Landscape Plan

The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping which accompanied the planning application submitted, unless otherwise agreed in writing with the Public Realm Section prior to commencement of development.

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Archaeology

The applicant has submitted a cover letter by *IAC Archaeology* dated 09th June 2022 that states that an Excavation was carried out on the site as a condition of Planning Permission under SD19A/0370.

The letter states confirmation that the proposed works will have no effect upon either the recorded archaeological resource or any previously unrecorded archaeological remains.

Should permission be granted, it is recommended conditions attached to previous permissions should be retained.

Nature Conservation

The applicant has submitted a cover report by *ALTEMAR, Bat Fauna Impact Assessment* dated 24th May 2022.

No Bat Species are present, no roosting activity is noted, and no foraging activity noted.

Should permission be granted, it is recommended conditions attached to previous permissions should be retained.

Aviation Safety

The Department of Defence was formally consulted and have stated the following:

- *Due to the proximity to Casement Aerodrome, the developer should implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.*

Having regard to the requirements of the Department of Defence, it is considered reasonable to apply by **condition** to ensure aviation safety.

Screening for Appropriate Assessment

A screening report for Appropriate Assessment by *Openfield Ecological Services* dated May 2022. As stated on the report: *On the basis of the screening exercise carried out, it can be concluded that the possibility of any significant impacts on any European Sites, whether arising from the project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available.*

On the basis of the information submitted, 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,

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- 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 Report

The applicant submitted an Environmental Impact Assessment Report as part of SD19A/0370. The proposed development consists of the construction of a single carriage circa 54m long 2-way access, the river Camac flows parallel to the proposed road.

Having regard to the nature of the proposed link road, and the distance of the site from nearby sensitive receptors, there is no likelihood of additional 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.

It is noted where the River Camac traverses and, in an area, known to flood however as stated from RPS dated June 2022. 'A Flood Risk Management (FRM) strategy and resulting mitigation measures were proposed and constructed on site in 2021-2022. Modelling of the proposed development with the FRM system in place demonstrates that the proposed site for the link road is not at risk of flooding'.

The proposal would benefit from increased planting (water absorbing planting) will have a significant impact on the short-medium term of the immediate environment, the Parks Landscape report address this element of the proposal.

Other Considerations

Development Contributions

The proposal is for a link road (within the Baldonell Business Park)

No contributions apply.

SEA Monitoring Information

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq. m.)
Signage	0sq.m (Link Road)
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.263 Ha

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Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022 - 2028, the 'EE' land use zoning, the established character of the area and the nature and scale of the proposed development (road link), it is considered that, subject to the conditions set out below, the proposed development would be in accordance with the national and regional policy and the SDCC Development Plan 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 2022 - 2028 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 in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, 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. Drainage - Surface Water.
Prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:
 - (i) A drawing and report to show in m³ what surface water attenuation is required and what is provided for proposed development.
 - 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.
 - 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, safety, the proper planning and sustainable

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development of the area and in order to ensure adequate and appropriate surface water drainage provision.

3. Due to the proximity to Casement Aerodrome, the applicant / developer shall implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.

REASON: In the interests of aviation safety.

4.
 1. Any road marking proposed and or to be installed shall comply with most up to date Chapter 7 (ROAD MARKINGS) of the Traffic Signs Manual.
 2. Any road sign proposed and or to be installed shall comply with most up to date Chapter 6 (WARNING SIGNS) of the Traffic Signs Manual.
 3. Any road sign proposed and or to be installed shall comply with most up to date Chapter 5 (REGULATORY SIGNS) of the Traffic Signs Manual.

REASON: In the interests of Roads safety, the proper planning and sustainable development of the area.

5. a). Tree Protection

The applicant shall implement all the recommendations pertaining to tree retention, tree protection and tree works, as detailed in the Tree Protection Plan as per Cunnane Stretton Reynolds Drawing no. 18417C_T_103, as submitted on and Arboricultural Report as submitted on 13th June 2022. Tree Protection measures to extend to any hedgerows on site.

Prior to the commencement of development, the arborist shall submit photographs and confirmation that fencing for retained trees meets BS5837:2012. Trees in Relation to Design, Demolition and Construction – Recommendations for the written agreement of the Public Realm Section.

All works on retained trees shall comply with proper arboricultural techniques conforming to BS 3998:2010 Tree Work – Recommendations. The clearance of any vegetation including trees and scrub shall be carried out outside the bird-breeding season (1st day of March to the 31st day of August inclusive) or as stipulated under the Wildlife Acts 1976 and 2000.

The arborist shall carry out a post construction tree survey and assessment on the condition of the retained trees. A completion certificate is to be signed off by the arborist when all permitted development works are completed and in line with the recommendations of the tree report. The certificate shall be submitted to the planning authority for written agreement upon completion of the works.

- b). Landscape Plan

The site shall be landscaped (and earthworks carried out) in accordance with the detailed comprehensive scheme of landscaping which accompanied the planning application submitted, unless otherwise agreed in writing with the Public Realm Section prior to commencement of development.

REASON: To ensure the protection of trees to be retained on site in the interests of

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climate adaptation, proper planning and sustainable development.

6. Minimise Air Blown Dust.

During the construction and or 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. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

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

7. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 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 construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the 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 unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

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

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8. Operational Noise.

(a) Noise due to the normal operation of the proposed development, expressed as LAeq over 15 minutes at the façade of any noise sensitive location, shall not exceed the daytime background level i.e. 0700 – 1900 by more than 10 dB(A) and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 .

Clearly audible and impulsive tones at noise sensitive locations during evening and night as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be avoided irrespective of the noise level.

(b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any residence, adjoining premises or public place in the vicinity.

(c) All mechanical plant and ventilation inlets and outlets should be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as LAeq over 15 minutes at 1 meter from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006.

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

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: 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.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

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REG. REF. SD22A/0270

**LOCATION: Townlands of Moneenalion Commons Upper, Brownsbarn and Collegeland,
Baldonnell Business Park, 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: 8/8/22

Eoin Burke
Eoin Burke, Senior Planner