

Comhairle Chontae Atha Cliath Theas

PR/1015/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0110 **Application Date:** 19-Apr-2022
Submission Type: Additional **Registration Date:** 14-Jul-2022
Information

Correspondence Name and Address: Gilna Architecture Fumbally Exchange, Argos House, Malpas Street, Dublin 8

Proposed Development: Demolition of single storey unit, concrete walls and gates; removal of containers and portacabin; 3 new single storey light industrial units to southeast corner of the existing business park between units 4 & 6 and associated site works.

Location: Pineview Business Park, Firhouse Road, Knocklyon, Dublin 16

Applicant Name: Pineview

Application Type: Permission

(SW)

Description of site and surroundings

Site Area: stated as 0.0211 Hectares.

Site Description:

The site is located within an existing business park. It is currently gated and located in the south east corner. There are temporary structures on the site.

Proposal:

- Demolition of single storey unit, concrete walls and gates;
- removal of containers and portacabin;
- **3 new single storey light industrial units** to southeast corner of the existing business park between units 4 & 6 and
- associated site works.

Zoning

The site is subject to zoning objective 'RES': 'To protect and/or improve residential amenity'

Consultations

EHO - no objections subject to conditions

Irish Water – additional information requested

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Water Services - additional information requested

Roads – no objections subject to conditions

Parks – additional information requested

Heritage Officer – no report received at time of writing

SEA – no overlap indicated.

Submissions/Observations /Representations

None.

Relevant Planning History

Subject site:

None.

Adjacent sites:

None.

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 4.2.0 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

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 6.4.4 Car Parking

Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

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

Policy E4 Energy Performance in New Buildings

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Chapter 11 Implementation

Section 11.2.1 Design Statements

Section 11.2.4 Regeneration Zone

Section 11.3.6 Retail Development

(i) Retail Criteria

Table 11.4 Regen zoning objective

Section 11.4.1 Bicycle Parking Standards

Table 11.22: Minimum Bicycle Parking Rates

Section 11.4.2 Car Parking Standards

Table 11.23: Maximum Parking Rates (Non Residential)

Section 11.4.4 Car Parking Design and Layout

Section 11.4.6 Travel Plans

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

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

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.6.3 Environmental Hazard Management

Section 11.6.3 (i) Air Quality

Section 11.6.3 (ii) Noise

Section 11.6.3 (iii) Lighting

Section 11.6.4 Major Accidents – Seveso Sites

Section 11.6.5 Waste Management

Section 11.7.2 Energy Performance In New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Policy

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

Towards Nearly Zero Energy Building in Ireland – Planning for 2020 and Beyond, Department of the Environment, Community and Local Government (2012)

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Design Manual for Urban Roads and Streets 2019- Department of Housing, Planning and local Government (2019)

Transport Strategy for the Greater Dublin Area, 2016-2035, National Transport Authority
Spatial Planning and National Roads, Guidelines for Planning Authorities 2012 – National Roads Authority

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

National Cycle Manual – National Transport Authority (2011)

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

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
- Residential and Visual Amenity
- Services and Drainage
- Access and Parking
- Screening for Appropriate Assessment
- Environmental Impact Assessment

Zoning and Council Policy

The site is subject to zoning objective 'RES': 'To protect and/or improve residential amenity.'

The applicant has stated on the application form that the proposal would provide light industrial units. 'Industry-Light' is open for consideration in accordance with the County Development Plan (CDP) land use zoning matrix.

Schedule 5 of the CDP makes the following definition:

"Industry – Light The use of a building or part thereof or land for industry in which the processes carried on or the plant or machinery installed are such as could be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit etc".

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It is noted that the application site is located within an existing business park. The proposed development is, therefore, considered acceptable in principle. It is recommended that should the application be approved a condition be imposed, requiring the application to confirm in writing the exact nature of the use of the proposed units, prior to occupation of the development.

There is no objection to the removal of the existing temporary structures on site.

Residential and Visual Amenity

The application site, and existing business park, are in close proximity to residential properties on Knocklyon Park and Green Acre Court. The proposal would result in the addition of units along the southern and eastern boundaries and would fill in the corner. These would be in line with the existing units along the southern and eastern boundaries. The units also about the western boundary and extend through to the east, forming a courtyard.

At the closest point, the new units would be approximately 8.6m from the adjacent residential properties on Green Acre Court. It is noted that the existing business premises are approximately 7.09m from the existing residential properties. The units would be approximately 10.72m from the residential properties at Knocklyon Park at the closest point. This is in line with the distance the existing units are from the properties

The existing boundary wall to the residential properties is 2.7m high. The existing business premises on the southern boundary are 3.31m adjacent to the boundary wall. The existing business premises on the northern boundary have an overall height of 4.61m but the eaves appear to be a similar height to the boundary wall. The proposed units would have a lean to roof, with a height of 3.31m adjacent to the boundary walls with the residential properties.

The EHO has raised no objections subject to conditions.

Given the nature of the proposed use, i.e., light industrial, the scale / height of the proposed units and the distance from the existing dwellings, it is considered that, subject to conditions surrounding the use and those proposed by the EHO, the proposed development would have an acceptable impact on residential amenity

In terms of visual amenity, the proposed development would be situated to the rear of the existing business park. They would not generally be visible. Notwithstanding this, the style is in keeping with the existing units.

The impact on visual amenity is considered acceptable.

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Services and Drainage

Water Services has requested additional information regarding SuDS and surface water drainage plans. Irish Water has requested additional information regarding the provision of drawing indicating existing and proposed water supply and foul layouts.

Landscaping

The Parks and Public Realm Department has stated:

"SUDS

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

Arboricultural Impact

The applicant has not provided any information as to the impacts of the proposed development on the existing tree to the west of the site in the back garden of 24, Green Acre Court, Knocklyon, D16, as it is right by the shared wall of the proposed site. The applicant should submit a tree survey report for the tree beside the proposed development area. This tree survey should be undertaken by a suitably qualified arborist. The report should provide detailed information on the condition and health of the existing tree and should also provide an arboricultural impact assessment. The report should also include a method statement for the works to be carried out".

Additional information has been requested.

Access and Parking

Roads has no objections, subject to conditions.

Screening for 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.

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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.

Other Considerations

Development Contributions

Light industrial units – 211sq.m

Monitoring for Strategic Environmental Assessment

Building Use Type Proposed Industrial

Floor Area (sq. m) 211

Land Type Brownfield/Urban Consolidation

Site Area (ha) 0.0211

Conclusion

Having regard to the 'RES' zoning objective of the site, and the nature and scale of the proposed development, it is considered that the proposal is acceptable in principle and the design is also acceptable, however, additional information is required regarding existing and proposed surface water drainage, water network and foul network, and trees to ensure the proposal would accord with the South Dublin County Council Development Plan 2016-2022.

Recommendation

Request additional information

Additional information requested: 15 June 2022

Additional information received: 14 July 2022

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Consultations:

Water Services: No objections, subject to conditions.

Irish Water: No objections, subject to conditions.

Parks: No objections, subject to conditions.

Roads: No report received at time of writing.

County Development Plan 2022-2028

Since the request for additional information was made, the Council has adopted a new CDP. Under the new CDP, the land retains the same zoning, i.e., 'RES.' 'Industry-Light' remains open for consideration in accordance with the County Development Plan (CDP) land use zoning matrix. The principle of the proposed development within an existing business park is, therefore, still considered acceptable. The proposed works are 211sq.m and therefore still not bound by a lot of criteria (e.g., design statements, green space factor) that apply to larger developments. There are no additional designations on the site, it is not situated within any riparian corridors and the proposal would not be located within GI corridors.

Council Policy

In accordance with 5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach,' the eight key principles apply on all zoned development lands within the County and to a multitude of development types and land uses. The proposal is, therefore, considered against these principles:

Context: Consider existing natural, cultural and built heritage features and green infrastructure elements as well as social, economic and environmental factors that impact on an area. ***The proposal would introduce light industrial units into an existing business park, the context of the units was assessed as part of the original application, this included the impact on residential and visual amenities, green infrastructure and drainage.***

Healthy Placemaking: Promote good urban design, which seeks to create public spaces that are vibrant, distinctive, safe and accessible and which promote and facilitate social interaction. ***The proposal would not generally be a 'public' place. It is situated in an existing business park and the design respects this location.***

Connected neighbourhoods: Promote public transport and other transport facilities that mitigate dependence on cars, promote safe walking and cycling, while assisting with internal movements within neighbourhoods. ***The proposal would be situated in an existing business park. There are bus services close to the site.***

Thriving Economy: Ease of access to and availability of good jobs and a good quality of life for the community at large. ***The proposal would provide employment opportunities.***

Inclusive and accessible: High quality services, community infrastructure and open spaces accessible to all. ***The proposal would have no significant impact on this feature.***

Public Realm: A real sense of place, positive purpose and local distinctiveness, where buildings are not only attractive but also safe and useful with lots of green and open spaces for people to spend time, relax

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and play. *The proposal would be located within a business park and would not be a location where people would be drawn to relax.*

Built Form and Mix: Promotes a mix of uses with appropriate increases in density and building heights in the right locations maximising the existing transport network and existing infrastructure. *The proposal would have no impact on this feature*

Design and materials: High quality design, materials and finishes and good quality landscaping with robust maintenance protocols for all large residential, commercial and employment developments. *The proposal would be small scale commercial, and the design is appropriate.*

Green Infrastructure

In respect of Green Infrastructure, the subject application provides for a relatively small increase in the footprint of the existing building, on an established industrial site. The site is not located within a Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028). It is noted that the application includes for SuDS measures in the form of permeable paving. The report of the Water Services Department confirms that the proposed provision is acceptable.

Having regard to the scale of the footprint increase and the provision of SuDS measures, it is considered that the subject development has incorporated Green Infrastructure and will protect, manage and enhance the GI resources on the subject site. As such, the proposal is in accordance with GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 – 2028.'

In conclusion, there is no substantial impact on the assessment of the proposed development arising from the adoption of the new CDP.

Assessment:

Item 1

The applicant is requested to include SuDS (Sustainable urban Drainage Systems) features for the proposed development such as but not limited to the following:

- Permeable Paving
- Grasscrete
- Blue Roofs
- Green Roofs
- Water Butts
- Rain Gardens
- Planter boxes with overflow connection to the public surface water sewer.

The applicant is requested to submit a drawing in plan and cross-sectional views clearly showing proposed Sustainable Drainage Systems (SuDS) features for the development.

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The applicant is referred to the recently published SDCC SuDS Design Guide for further information and guidance.

Applicant's response:

The proposal has been altered to allow for SuDS in the following way - Permeable paving.

Assessment:

Water Services has raised no objections, subject to conditions.

Item 2:

The applicant is requested to submit a drawing showing existing and proposed surface water drainage layouts up to and including the point of connection to the public surface water sewer.

Applicant's response:

See site plan 2033 A and B. Please also refer to Irish Water Plan.

Assessment:

Water Services has raised no objections, subject to conditions.

Item 3:

(a) The applicant is requested to submit a drawing in plan outlining the existing and proposed water supply layout for the development. Maps of the public watermains and Wastewater drainage networks may be obtained, if available, for required locations in by emailing: datarequests@water.ie.

(b) The applicant is requested to submit a drawing showing existing and proposed foul water drainage layouts up to and including the point of connection to the public foul water sewer. The drawing shall include the location of all Aj's, manholes, pipe size, material type and direction of flow.

Applicant's response:

See site plan 2033 A and B. Please also refer to Irish Water Plan.

Assessment:

Irish Water has raised no objections, subject to conditions.

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Item 4:

The applicant is requested to submit a tree survey report for the tree beside the proposed development area. This tree survey should be undertaken by a suitably qualified arborist. The report should provide detailed information on the condition and health of the existing tree and should also provide an arboricultural impact assessment. The report should also include a method statement for the works to be carried out.

Applicant's response:

There are no trees. Bush mis-identified as a tree.

Assessment:

The Parks Department has stated *"The information submitted by the applicant is acceptable to the Public Realm Section as the tree in question appears to be outside the red line boundary of this proposed development and is situated in the garden of no. 24 Green Acre Court therefore it is the responsibility of the relevant homeowner, in addition this tree does not appear to be of any major significance"*.

There are no objections, subject to conditions.

Other Considerations

Development Contributions

Light industrial units – 211sq.m

Monitoring for Strategic Environmental Assessment

Building Use Type Proposed Industrial

Floor Area (sq. m) 211

Land Type Brownfield/Urban Consolidation

Site Area (ha) 0.0211

Conclusion

Having regard to the 'RES' zoning objective of the site, and the nature and scale of the proposed development, it is considered that the proposal is acceptable in principle. Having regard to the additional information submitted regarding existing and proposed surface water drainage, water network and foul network, and trees, it is considered the proposal would accord with the South Dublin County Council Development Plan 2022-2028.

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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 to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 14 July 2022, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Nature of Uses.
Prior to the occupation of each unit, the applicant is requested to agree, in writing with the Planning Authority, the exact nature of the use of the proposed units.
REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.
3. Conversion Phase
Noise
 1. To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that :
The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours

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

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

4. Air Quality

During the construction / demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances.

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

5. Roads.

Bicycle parking should be designed and constructed in accordance to the National Cycle Manual standards.

REASON: In the interests of sustainable transport.

6. Drainage.

(a) Prior to the commencement of development, the applicant shall submit a report and drawing showing what surface water attenuation is provided and what is required in m3. This report shall show how surface water discharge will be limited to green field run off rate in litres/second (Qbar). Show in a report and drawing what Qbar is for proposed site.

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

(c) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

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

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

7. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €20,838.36 (twenty thousand eight hundred and thirty eight euros and thirty six cents), in respect of

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public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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

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REG. REF. SD22A/0110

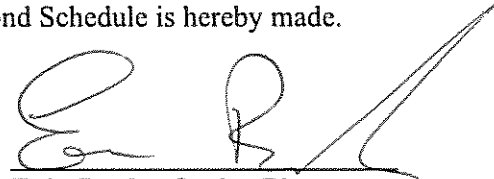
LOCATION: Pineview Business Park, Firhouse Road, Knocklyon, Dublin 16



Jim Johnston,
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: 10/8/22



Eoin Burke, Senior Planner