

Comhairle Chontae Atha Cliath Theas

PR/1017/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0277 **Application Date:** 17-Jun-2022
Submission Type: New Application **Registration Date:** 17-Jun-2022

Correspondence Name and Address: Loretta Kennedy 19, Greenville Terrace, Dublin 8.
Proposed Development: Installation of a new external door in the Northwest Elevation to access a new ESB meter enclosure at ground floor of
Unit 26C Fashion City, Ballymount Road Upper, Dublin 24

Location: Unit 26C, Fashion City, Ballymount Road Upper, Dublin 24, D24 KP97

Applicant Name: Cleargate Ltd
Application Type: Permission

(NM)

Description of site and surroundings

Site Area: Stated as 0.0094ha

Site Description

The site is located in Fashion City, M50 Business Park. Fashion City is situated in an existing employment area. The units are generally in use as clothing warehouses. The surrounding area contains structures that are similar in form. The site is situated to the east of the M50 and north west of Greenhills Road.

Proposal:

The development comprises of:

- Installation of a new external door in the Northwest Elevation to access a new ESB meter enclosure at ground floor of Unit 26C Fashion City, Ballymount Road Upper, Dublin 24

Zoning

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

Consultations

Water Services - No objection subject to standard conditions.

Irish Water – No report received

Roads - No objection subject to condition.

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SEA Screening

No overlap indicated.

Submissions/Observations /Representations

None received.

Relevant Planning History

SD20A/0249 - Unit 23, Fashion City, Upper Ballymount Road, Dublin 24 – **Permission Granted** for the installation of a new external door to the rear facade & internal alterations at ground floor.

SD20A/0144 - Unit 14, Fashion City, Ballymount Road Upper, Dublin 24 - **Permission Granted** for the (1) Change of use of the existing ground floor (411sq.m) and first floor (401sq.m) levels from previously granted Showroom/Warehouse storage under Reg. Ref. S01A/0173 and further extended under Reg. Ref. SD02A/0514 to office use. (2) Modifications to the front facade comprising the replacement of the main entrance doors at ground floor level with glazing to match the existing, the installation of a new window to match existing at first floor level and new signage (2sq.m). (3) Modifications to the rear facade comprising the replacement of the existing roller shutter at ground floor level with fixed curtain wall glazing to match existing and the installation of new fixed louvres to match existing at first floor level.

SD05A/0624 - **Permission Granted** for the division of existing warehouse into two units and the addition of an entrance door and associated signage to the front. Previous permission was granted under application No. S01A/0173.

SD02A/0580 - **Permission Granted** for the change of use of 350m² first floor mezzanine storage area to ancillary office use, the change of use of 200m² of warehouse to ancillary office use, and the extension of first floor mezzanine storage area by 200m² at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade. Previous Permission was granted under application No. S01A/0173.

SD02A/0567 **Permission Granted** for the addition of a second floor of storage space of 900m² to Units 18 & 19 and additional windows to front elevations at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade.

SD02A/0514 - **Permission Granted** for the change of use of 64m² of ground floor warehouse to showroom and the extension of first floor mezzanine showroom area by 328m² and addition of a door to ground floor level at front of warehouse at the 'Fashion City', wholesale distribution and light manufacturing centre for the clothing trade. Previous permission was granted under S01A/0173.

SD02A/0350 - **Permission Granted** for the change of use of 74m² of ground floor warehouse to showroom, the extension of first floor mezzanine storage area by 425m² and the addition at

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second floor office area of 191m² with additional windows to front and side elevations and door to ground floor level of warehouse. Previous permission was granted under application number S01A/0173.

SD02A/0346 - **Permission Granted** for the change of use of 42m² of ground floor warehouse to showroom, extension of first floor mezzanine storage area by 197m² and the addition of a door to ground floor level at front of warehouse. Previous permission was granted under application number S01A/0173.

SD02A/0345 - **Permission Granted** for the change of use of 74m² of ground floor warehouse to showroom extension of first floor mezzanine showroom and storage area by 158m² and a door to ground floor level at front of warehouse at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade. Previous permission was granted under application no. S01A/0173.

SD02A/0344 - **Permission Granted** for the change of use of 148m² of ground floor warehouse to showroom/offices, extension to first floor mezzanine showroom and storage area by 122m², the addition of second floor office area of 252m² and additional windows to front and side elevations at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade. Previous permission was granted under application no. S01A/0173.

SD02A/0342 – **Permission Granted** for the change of use of 77m² of ground floor warehouse to showroom, extension of first floor mezzanine showroom and storage area by 139m² and the addition of a door at ground floor level at front of warehouse at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade. Previous permission was granted under application no S01A/0173.

SD02A/0321 - **Permission Granted** for extension of first floor mezzanine showroom area by 112 sq. metres and addition of a door to ground floor level at front of warehouse at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade.

SD02A/0247 - **Permission Granted** for combining of unit 13 & 14 and extension of first floor storage area by 720m², addition of escape door to front, removal of roller shutter door and addition of windows at ground and first floor to rear of warehouse at Fashion City wholesale distribution and light manufacturing centre for the clothing trade. Previous Permission was granted S01A/0173.

Relevant Enforcement History

None.

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Pre-Planning Consultation

None for this proposal.

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 QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

Policy G11: 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.

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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Relevant Government Policy

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

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

Assessment

The main issues for assessment are:

- Zoning
- Visual Amenity
- Drainage
- Roads
- Screening for Appropriate Assessment
- Environmental impact assessment

Zoning

The subject site is subject to zoning objective 'EE' - '*To provide for Enterprise and Employment Related Uses*' under the South Dublin County Council Development Plan 2022 - 2028. A development comprising the installation of a new external door to access a new ESB meter enclosure at ground floor would be permitted in principle in this zone. As such, subject to compliance with the relevant policies, standards and requirements of the South Dublin County Council Development Plan 2022-2028, the principle of the proposed development is acceptable at this location.

Visual Amenity

The proposed development requires the addition of a new external door at ground floor level on the northwest elevation of the existing industrial unit. The building fronts onto an internal road within the industrial estate. It appears that the door will be similar to the existing doors in terms of form and materials used to those located on the northeast, southwest and southeast elevations which is considered appropriate. The proposed door will provide separate external access to the ESB meter. The new external door would complement the predominately glazed façade of the existing property and would not seriously injure the visual amenity of the area.

The proposal also entails a new internal area cordoned off to provide dedicated space for the existing units ESB meters which is acceptable.

Overall, the proposed development is consistent with the policies and objectives of the Development Plan and is considered acceptable.

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Roads

The Roads Department have no objection subject to conditions. Their report states:

Access:

Access to the proposed door via green open space. A footpath of min width 1.2m would need to be provided.

No Roads objections subject to the following conditions:

A footpath of min width 1.2m to be provided linking existing footpath with new entrance.

The Roads Department indicate that this will open on to a green area requiring the provision of a new footpath. The proposed development will open on to the existing footpath and as such no new footpath is required, and the proposed development is considered acceptable. Therefore, the above condition is not required. The proposed works would not materially affect any roads related items.

Drainage

Water Services has no objections, subject to standard **conditions**.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established industrial area and comprises of the installation of a new external door in the Northwest Elevation to access a new ESB meter enclosure at ground floor.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Environmental Impact Assessment (EIAR)

Having regard to the modest nature of the development, and the distance of the site from nearby sensitive receptors, there is no real 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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Development Contributions

Development Contributions Assessment Overall Quantum

Minor Addition: N/A
Assessable Area: NIL

SEA Monitoring Information

Building Use Type Proposed: Addition of Door/Internal Alterations
Floor Area: N/A
Land Type: Brownfield/Urban Consolidation.
Site Area: 0.0094ha

Conclusion

Having regard to the nature and scale of the proposed development, the 'EE' zoning objective and the provisions of the South Dublin County Council Development Plan 2022-2028, it is considered that subject to the conditions set out below, the development would not seriously injure the amenities of the area 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.

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

2. Surface Water

(i) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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

3. 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.

4. 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

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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 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.

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REG. REF. SD22A/0277

LOCATION: Unit 26C, Fashion City, Ballymount Road Upper, Dublin 24, D24 KP97

jjohnston _____

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: 11/8/22



Eoin Burke, Senior Planner