

Comhairle Chontae Atha Cliath Theas

PR/1063/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0283 **Application Date:** 24-Jun-2022
Submission Type: New Application **Registration Date:** 24-Jun-2022
Correspondence Name and Address: PDC Architectural Unit 12a, Churchfields,
Kentstown, Co Meath
Proposed Development: Retention permission for 3 No of storage units /
valeting bays, with car parking car storage area with
all associated site works
Location: Block C, Kingswood Business Park, Unit B18,
Dublin 22
Applicant Name: AutoClass Motors
Application Type: Retention

(NM)

Description of site and surroundings

Site Area: Stated as 0.033ha

Site Description

The site is located in the Kingswood Business Park off the Kingswood Interchange with the N7. The area is predominately a mix of industrial, showroom, and office units with double skin cladding and roller shutter loading bays. The units have uniform building lines and ridgelines in the main.

Proposal:

The development comprises of:

- Retention permission for 3 No of storage units / valeting bays,
- Car parking car storage area with all associated site works.
- Total area of works for retention 165sqm and 75 car spaces.

Zoning

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

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Consultations

Water Services - No objection subject to conditions.

Irish Water – No objection subject to standard conditions.

Roads - No objection.

EHO – No objection subject to conditions.

SEA Screening

Overlaps with SFRA A & B 2016.

Submissions/Observations /Representations

None received.

Relevant Planning History

Subject

SD09A/0241 – **Permission Granted following Appeal to ABP** for single storey car testing facility, total gross internal area 854sq.m. comprising 662sq.m. inspection bay and 192sq.m. ancillary accommodation comprising staff toilets, lockers and canteen, administration and public reception//waiting area; 31 car parking spaces; vehicle manoeuvring area; landscaping.

SD09A/0241/EP – **Extension Of Duration Of Permission Refused** for single storey car testing facility, total gross internal area 854sq.m. comprising 662sq.m. inspection bay and 192sq.m. ancillary accommodation comprising staff toilets, lockers and canteen, administration and public reception//waiting area; 31 car parking spaces; vehicle manoeuvring area; landscaping.

Adjacent

SD21A/0239 - Kingswood Business Park, Baldonnell, Dublin 22 – **Permission Granted** for alterations to an existing granted planning application (previously granted permissions Reg. Ref. SD18A/0314 [ABP-304148-19], SD19A/0408, SD20A/0187); reconfiguration of the ground floor area consisting of a new ancillary storage area to the proposed building's eastern elevation measuring 75sq.m, at mezzanine level; change of use of 57sq.m of warehouse floor area to staff facilities due to the following, addition of single storey fire protected corridor from Office A to in the south-west corner of the warehouse, overall 45sq.m floor area addition; addition of stairs from warehouse to mezzanine level, overall 12sq.m floor area addition; elevation alterations, introduction of covered glazed structure at the main Office entrance to the front (southern) elevation, overall height 6.18m; introduction of Integrated Modular Louvre System to Charging Area to the front (southern) and side (eastern) elevation; change of colour of southern elevation warehouse canopy to Anthracite; introduction of fire escape doors to the side (eastern) elevation; site plan alterations, omission of an existing roundabout and provision of revised road junction with an access/egress to the proposed development and to the existing Business Park; provision of a new boundary fence Type A to the southern and eastern site boundary; introduction of additional 26 HGV parking spaces to the western concrete yard (overall area 1547sq.m) and the omission of car parking at the same location; introduction of 8 van parking spaces (overall area

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240sq.m) and rearrangement of the car parking spaces due to introduction of the above changes, plus addition of gas tank and generator; associated drainage layout adjustments due to the inclusion of the above alterations; all other details such as landscaping, external surface finishes etc. will remain as per the aforementioned granted planning applications.

SD07A/0141 - Site at Baldonnell Road, Baldonnell Lower, Dublin 22 – **Permission Granted** for 8 new light industrial/warehouse units with a total gross internal area of 2,822sq.m. of which 342sq.m. will be ancillary office space; 70 car parking spaces, landscaping, drainage, and associated site works.

SD06A/0245 - Site at Baldonnell Road, Baldonnell Lower, Dublin 22 – **Permission Granted** In response to the request for Additional Information, the development has been revised to provide for the relocation of the main access road from Baldonnell Road to the north, alterations to the layout and revisions to the red line site boundary deriving from the change in the position of the access road. The revised scheme provides for two blocks comprising 35 new light industrial/warehousing units with a total gross internal area of 7985 sq. m., of which 1415 sq. m. will be ancillary office space; 276 car parking spaces.

Relevant Enforcement History

S8862 - Lands at Block C Kingswood Business Park.

Nature of Problem - alleged unauthorised development, operation of car sales courtyard

Stage - Live

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.

EDE4 Objective 5:

To ensure that proposals to diversify or densify underutilised industrial lands support the overarching goals of placemaking, consolidating growth centres along public transport corridors in a planned and / or sequential basis, and ensuring realisable linkages with nearby services and amenities.

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.

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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

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).

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
- Visual Amenity
- Use
- roads
- Drainage
- EHO

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- 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 three storage units/valeting bays and car parking/car storage area in conjunction with motor sales would be *open for consideration* 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 **may** be acceptable at this location.

Visual Amenity

The three storage units / valeting bays proposed for retention appear to be single skin clad, pitched roof developments with two roller shutter loading bays for vehicular access and a door for pedestrian access per unit. The ridge height of the units is 4m which is considerably lower than the row of industrial/business units to the west of the subject development. They are located in the southwestern corner of the subject site with approximately 1.63m to the southern site boundary and 2.42m to the western site boundary which is acceptable. The units are similar to those already built in the business park in terms of colours, textures and materials but differ greatly in size and scale. They are highly visible when entering the estate, but they are subservient to the main structures and as such are not overbearing in the site context. The units for retention are not visually injurious to the area and are therefore acceptable.

The car parking appears to be used for the storage of cars in conjunction with Auto Class Motors, Unit B18, Kingswood Business Park which is located directly to the west of the subject site hatched in blue in the site plan. The area allocated for parking is predominately in hardcore with the areas around the storage units in tarmac. There are 75 car spaces available and are not visually injurious to the area.

Overall, the development for retention would not seriously injure the amenities of the area.

Use

Under Zoning Objective EE, car parks and motor sales are open to consideration. Policy EDE1 states "*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.*" The development is located in an established business estate and is being used in conjunction with a business that is promoting employment growth which is consistent with the Development Plan and is therefore acceptable.

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Roads

The Roads Department have no objections, comments or conditions regarding the development proposed for retention.

Drainage

Water Services has no objections, subject to standard **conditions** and the following:

Flood Risk

No objection subject to:

2.1 The proposed development site is located within Flood Zone A according to OPW's (Office of Public Works) CFRAM maps, therefore the site is at risk from a 1 in 10 year (10%) AEP flooding event.

Within 4 weeks of date of planning decision the applicant is required to submit a site-specific flood risk assessment report with the inclusion of a justification test in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report shall outline details of the measures and design features to prevent/mitigate the risk of flooding to the proposed development and to adjoining lands. Finished floor levels shall be above the closest known 1 in 100 year river flood level data point with appropriate freeboard.

2.2 The applicant's proposal must fully comply with OPW Guidelines for Planning Authorities available at: <https://www.opw.ie/en/>

Given the location of the development, the above conditions are considered appropriate and shall be attached in the event of a grant of permission.

Environmental Health Officer

The Environmental Health Officer has no objections subject to conditions. The report states:

Comments

The subject application is for the retention of 3 storage units at the Autoclass Motors business located in the Kingswood Business Park. The Environmental Health Department are not aware of any history of complaints relating to this facility. The subject proposal is not likely to impact on the public with regards to noise, air or water impacts and therefore the Environmental Health Department do wish to raise any objection with the proposed development. The proposal is acceptable to Environmental Health subject to the following conditions set out below:

1. Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night-time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

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2. *Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood.*

3. *No equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 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 work outside of these hours shall only be permitted following a written request to the Planning Authority and 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 unwanted noise outside the hours stated above.*

4. *The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise or noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises or public place in the vicinity.*

5. *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.*

The proposed conditions are considered appropriate and shall be attached in the event of a grant of permission.

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 business park and comprises three storage units/valeting bays and car parking/car storage area

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.

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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.

Development Contributions

Development Contributions Assessment Overall Quantum

3 Industrial Units:	165sqm
Car Spaces	2,980sqm (75 spaces)
Assessable Area:	

SEA Monitoring Information

Building Use Type Proposed:	Storage
Floor Area:	165sqm
Land Type:	Enterprise and Employment.
Site Area:	0.33ha

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 Retention 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.

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SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, save as may be required by other conditions attached hereto.
REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Environmental Health
 - a) Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A) and shall not exceed the background level for evening and night-time. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.
 - b) Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood.
 - c) No equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 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 work outside of these hours shall only be permitted following a written request to the Planning Authority and 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 unwanted noise outside the hours stated above.
 - d) The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise or noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining premises or public place in the vicinity.
 - e) 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: In the interest of public safety, proper planning and sustainable development.
3. Surface Water
 - a) The proposed development site is located within Flood Zone A according to OPW's (Office of Public Works) CFRAM maps, therefore the site is at risk from a 1 in 10 year

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(10%) AEP flooding event.

Within 4 weeks of date of planning decision the applicant is required to submit a site-specific flood risk assessment report with the inclusion of a justification test in compliance with OPW Flood Risk Management Guidelines for Planning Authorities. The report shall outline details of the measures and design features to prevent/mitigate the risk of flooding to the proposed development and to adjoining lands. Finished floor levels shall be above the closest known 1 in 100 year river flood level data point with appropriate freeboard.

b) The proposed development must fully comply with OPW Guidelines for Planning Authorities available at: <https://www.opw.ie/en/>

REASON: In the interest of proper planning and sustainable development.

4. Irish Water

1 Water

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

Reason: In the interest of public health and to ensure adequate water facilities.

2 Foul

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

Reason: In the interest of public health and to ensure adequate water facilities.

5. Financial Contributions.

The developer shall pay to the Planning Authority a financial contribution of €17,036.40 (seventeen thousand and thirty six euros and forty cents), in respect of 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 Act 2000 (as amended). This contribution is to be paid on receipt of Final Grant of Permission.

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

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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/0283

LOCATION: Block C, Kingswood Business Park, Unit B18, Dublin 22

jjohnston

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 Retention 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: _____

18/8/22



Eoin Burke, Senior Planner