

# Comhairle Chontae Atha Cliath Theas

**PR/1133/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0302      **Application Date:** 13-Jul-2022  
**Submission Type:** New Application      **Registration Date:** 13-Jul-2022

**Correspondence Name and Address:** Elena Dragoje, Kavanagh Burke Consulting Engineers Unit F3, Calmount Park, Ballymount, Dublin 12

**Proposed Development:** Alterations to existing granted planning Reg. SD18A/0314, SD19A/0408, SD20A/0187 and SD21A/0239; elevation alterations including change of cladding colour of the security hut from Gull Grey to Anthracite; site plan alterations including omission of the business park existing sliding gate, sliding in to the proposed development carpark area; provision of a new boundary fence Type A to the southern and eastern site boundary; provision of a new security hut disabled car parking space to the west of the hut at HGV access/egress to the development; all other details such as site access, landscaping, external surface finishes, water supply, drainage, attenuation systems etc will remain as per the aforementioned granted planning applications.

**Location:** Kingswood Business Park, Baldonnell, Dublin 22.

**Applicant Name:** JMC Van Trans Ltd.

**Application Type:** Permission

### **Description of Site and Surroundings:**

#### Site Description:

The site is located in Kingswood Business Park, situated to the east of Baldonnell House and east of Baldonnell Aerodrome. The site is currently under construction.

#### Site Area:

Stated as 3.89Ha.

### **Proposal:**

Permission is sought for the following amendments to the development permitted under SD18A/0314 (ABP 30148-19), SD19A/0408, SD20A/0187 and SD21A/0239:

- Elevational alterations in the form of a change in colour of the security hut cladding from Gull Grey to Anthracite.

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- Alterations to the site layout in the form of:
  - Omission of the sliding gate to the proposed car park area.
  - Provision of a new boundary fence to the southern and eastern site boundary.
  - Provision of a new accessible car parking space to the west of the security hut at the HGV access/egress to the development.
  
- All ancillary works above and below ground.

#### **Zoning:**

The site is zoned objective EE – *'To provide for enterprise and employment related uses'* in the South Dublin County Development Plan 2022-2028.

#### **CDP maps:**

Inner horizontal surface / Noise significant boundary (Casement), Bird Hazards SFRA A / B.

#### **Consultations:**

Drainage and Water Services Department – No objection, subject to conditions.

Irish Water – No objection, subject to conditions.

Roads Department – No objection.

Transport Infrastructure Ireland - No report received at time of writing this Report.

Parks Department – No objection.

Irish Aviation Authority – No objection.

Department of Defence – No report received at time of writing this Report.

#### **SEA Sensitivity Screening:**

Overlap is indicated with the following relevant environmental layers:

- Flood zones SFRA A and SFRA B.
- Rural – The subject site is adjacent to the Rural Layer.
- Protected Structures - Site is adjacent to protected structure RPS Ref. 202, Baldonnell House.

#### **Submissions/Observations /Representations:**

Last date for submissions/observations – 16<sup>th</sup> August 2022.

None received.

#### **Relevant Planning History**

Subject site

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**SD21A/0239:** 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 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.

**SDCC Decision:** Grant Permission, subject to conditions.

**SD21A/0115:** Further alterations to an existing granted planning application (previously granted permissions Reg. Ref. S018A/0314 (ABP-304148-19); SD19A/0408; S020A/0187); alterations consist of site plan alterations; revised site boundary to suit new arrangement of additional land used as concrete yard and HGV parking; omission of an existing roundabout and provision of a 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; associated drainage adjustments; all other details will remain as per the aforementioned granted planning applications.

**SDCC Decision:** Permission Refused for the following reasons:

- 1. The application is deficient as it is unclear whether the applicant owns the entire application site. In the absence of such information, the Planning Authority considers the proposal contrary to the proper planning and sustainable development of the area.*
- 2. The site is within land that has a zoning objective OS - To preserve and provide for open space and recreational amenities. The South Dublin County Development Plan 2016 - 2022 states that the use class of warehousing and car parking is not permitted within lands zoned for this objective. Thus, the proposed development would contravene the 'OS' land-use zoning objective and would therefore contravene the South Dublin County*

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*Development Plan 2016 - 2022 and the proper planning and sustainable development of the area.*

- 3. The proposed development, by way of the design of the fencing, the intrusion of hardstanding into an area zoned as open space, resulting in significant soil sealing in a sensitive location of the County and the erosion of existing open space, would negatively impact on the visual amenities of the area, would seriously diminish the County's requirement to protect and enhance the environmental capacity and ecological function of open spaces (G4 Objective 1) and to connect 'parks and areas of open space with ecological and recreational corridors to aid the movement of biodiversity' (G4 Objective 2) and if granted would be contrary to objectives of the South Dublin County Council Development Plan and be contrary to the proper planning and sustainable development of the area.*
- 4. The proposed development requiring the introduction of underground attenuation systems, to provide for industrial-type uses on lands zoned for open space would be contrary to Objective IE2 Objective 5 which seeks to limit surface water run-off from new developments through the use of SUDS and 'avoid the use of underground attenuation and storage tanks' and would be contrary to Objective G5 Objective 1 which promotes and supports the development of SUDS to maximise the amenity and biodiversity value of these systems, and if granted the proposed development would be contrary the objectives of the South Dublin County Council Development Plan and be contrary to the proper planning and sustainable development of the area.*

**SD20A/0187:** Alterations to an existing granted planning application (previously granted permission Reg Ref SD18A/0314 [ABP-304148-19]; SD19A/0408), to incorporate elevation revisions only to the front 3 storey attached ancillary office block. the alterations comprise a change of material cladding and fenestration revisions to the front and immediate side elevations of the ancillary offices (south, east and west elevations). The previously approved cladding 'Ceramic Granite' stone finish is proposed to be revised to 'Benchmark Dri-Design Rainscreen Facade' profiled metal cladding system. All other details remain as per the aforementioned granted planning applications.

**SDCC Decision:** Grant Permission, subject to conditions.

**SD19A/0408:** Alterations to an existing granted planning application Reg. Ref. SD18A/0314 as follows: (1) reconfiguration of the ground floor area with provision of a new ancillary charging area to the proposed building's southern elevation measuring 265sq.m, overall height 6.2m; previously proposed plant room to the building's eastern elevation to be omitted; (2) elevation alterations with introduction of 11 level access doors to the eastern elevation; introduction of charging area to the southern and eastern elevation and rearrangement of fire doors to the eastern elevation; introduction of the canopy above level access doors and horizontal curtain walling above the canopy to the eastern elevation; height reduction to the canopy above level access doors to the western elevation; (3) site plan with rearrangement of the car parking spaces due to

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the introduction of charging area to the south and level access doors to the east of the proposed warehouse, including the provision of car parking spaces to the west for warehouse staff and omission of HGV parking at the same location; (4) provision of ESB sub-station; incorporating minor adjustments to the drainage on site; all other details will remain as per the granted application Reg. Ref. SD18A/0314.

**SDCC Decision:** Grant Permission, subject to conditions.

**SD18A/0314:** Warehousing unit incorporating ancillary offices/staff facilities on 3 floors to the front (south) elevation, office/staff facilities for the warehouse use at the rear (north) elevation and plant room, totalling 14,104sq.m gross internal area, which comprises: (1) 12,240sq.m warehousing area (17.9m high); (2) 1,674sq.m front ancillary office/staff facilities area on 3 floors (12.45m high); (3) 122sq.m office/staff facilities attached to the rear of the warehouse (8.4m high), 63sq.m plant room attached to the eastern side of the warehouse (5.7m high). The development also includes: (A) On-site security hut 16sq.m (3.00m high) at the HGV access/egress location; (B) 4,160sq.m solar panels placed on the warehouse roof; (C) Site access; (D) Ancillary car parking (145 spaces); (E) HGV marshalling yard on 16,380sq.m of yard and HGV parking for 49 vehicles; (F) Dock levellers and level access doors; (G) Canopy over level access doors attached to western elevation and canopy over dock levellers at the rear; (H) Perimeter landscaping; (I) Drainage works including underground surface water attenuation facility, flood management measures, foul sewer pumping and storage tank; (J) All services and utilities and (K) All associated site development works.

**SDCC Decision:** Refuse Permission.

**ABP Decision:** Permission granted on Appeal (ABP PL06S.304148).

**SD12A/0070:** (1) Construction of new single storey shop building comprising retail area with ancillary off-licence, food bar area, console, seating area, storage room, office and toilets; (2) construction of a new forecourt with 6 no. pump islands and canopy area; (3) installation of 1 no. car wash facility and a single storey car wash recycling equipment building; (4) installation of 4 no. 40000L underground fuel tanks and associated pipework and fill points; (5) construction of ancillary site features such as trash compound, signage, landscaping, drainage systems, main ID sign, boundary treatments and car parking.

**SDCC Decision:** Grant Permission, subject to conditions.

**SD09A/0241/EP:** 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.

**SDCC Decision:** Extension of Duration Refused.

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**SD09A/0241:** 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.

**SDCC Decision:** Grant Permission, subject to conditions.

**SD07A/0562:** 17 new light industrial/warehouse units with a total gross internal area of 5,688sq.m of which 1,065sq.m will be ancillary office space; 170 car parking spaces, estate roads, landscaping, drainage, ESB sub station and associated site works.

**SDCC Decision:** Grant Permission, subject to conditions.

**SD06A/0245:** 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 7985sq.m., of which 1415sq.m. will be ancillary office space; 276 car parking spaces.

**SDCC Decision:** Grant Permission, subject to conditions.

**S99A/0855:** Change of use of Baldonnell House, a list 2 building, and associated lands and outhouses including the stables and derelict gate lodge from residential use to use as hotel and golfing facilities.

**SDCC Decision:** Outline Permission Refused.

#### Adjacent sites

No recent relevant Planning History on subject sites.

#### **Relevant Enforcement History:**

None recorded.

#### **Pre-Planning Consultation:**

None recorded.

#### **Relevant Policy in South Dublin County Development Plan 2022-2028**

*Chapter 4 Green Infrastructure*

*Section 4.1 Methodology*

*GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.*

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### *Section 4.2.1 Biodiversity*

*GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.*

### *Section 4.2.2 Sustainable Water Management*

*GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.*

### *Chapter 5 Quality Design and Healthy Placemaking*

#### *Section 5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach'*

##### *QDP2 Objective 1:*

*To ensure that applications for new development are accompanied by a statement from a suitably qualified person detailing how 'The Plan Approach' has been taken into consideration and incorporated into the design of the development including the materials and finishes proposed and demonstrating how the overarching principles for the achievement of successful and sustainable neighbourhoods have been integrated as part of the design proposal.*

### *Section 5.2.2 Context*

#### *Policy QDP3: Neighbourhood Context*

*Support and facilitate proposals which contribute in a positive manner to the character and setting of an area.*

##### *QDP3 Objective 1:*

*To ensure new development contributes in a positive manner to the character and setting of the immediate area in which a proposed development is located taking into consideration the provisions set out in Chapters 3 and 4 of this Plan and having regard to the requirements set out in Chapter 12: Implementation and Monitoring in relation to design statements.*

### *Section 5.2.3 Healthy Placemaking*

##### *QDP4 Objective 2:*

*To promote a high standard of building and urban design, creating public spaces that are distinctive, safe, universally accessible and facilitate social and cultural diversity and interaction.*

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#### 5.2.6 High Quality and Inclusive Development

##### *QDP7 Objective 6:*

*To ensure that development provides an integrated and balanced approach to movement, healthy placemaking and streetscape design in accordance with the requirements of the Design Manual for Urban Roads and Streets, DTTAS and DEHLG (2019).*

##### *QDP7 Objective 7:*

*To ensure that all proposals for development contribute positively to providing a coherent enclosure of streets and public spaces, taking into consideration the proportions and activities of buildings on both sides of a street or surrounding a public space, providing for good standards of daylight and sunlight, and micro climatic conditions and having regard to the guidance and principles set out in the South Dublin County's Building Height and Density Guide and the Design Manual for Urban Streets and Roads (DMURS) (2019).*

##### *QDP7 Objective 8:*

*To promote and support a Universal Design Approach to residential and non-residential development – having regard in particular to the universal design principles and guidance in relation to Buildings for Everyone, Housing and Shared Space as promoted by the Centre for Excellence in Universal Design at the National Disability Authority – ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES. (See also Chapter 8: Community Infrastructure and Open Space).*

#### 5.2.9 Materials, Colours and Textures

##### *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.*

##### *QDP11 Objective 1:*

*To require the use of high quality and durable materials and finishes that make a positive contribution to placemaking.*

##### *QDP11 Objective 2:*

*To promote the use of structural materials that have low to zero embodied energy and CO2 emissions and ensure a wood-first policy on public buildings funded or part-funded by the Council.*

##### *QDP11 Objective 3:*

*To promote the reuse and recycling of materials to promote the circular economy and reduce construction and demolition waste.*



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*Chapter 9 Economic Development and Employment*

*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 6:*

*To ensure that economic and enterprise related development is provided in a manner which facilitates a reduction in greenhouse gas emissions by supporting and promoting the following measures:*

- An increase in employment densities within walkable distances of communities and on public transport routes;*
- Promotion of walking and cycling and use of public transport through increased permeability and mobility management measures within and outside employment areas;*
- The sourcing of power from district heating and renewables including wind, hydro and solar;*
- Additional native tree planting and landscaping on existing and proposed enterprise zones and development sites to aid with carbon sequestration, contribute to the green infrastructure network of the County and promote quality placemaking.*

*Section 9.2.1 Green and Innovative Economy*

*EDE3 Objective 5:*

*To promote, through good placemaking, the delivery of places and communities which encourage employers and workers alike to live in the County, closer to their workplaces, promoting more sustainable travel and a good quality of life.*

*9.2.2 Urban Growth, Regeneration and Placemaking*

*Policy EDE4:*

*Urban Growth, Regeneration and Placemaking Support urban growth and regeneration through the promotion of good placemaking to attract employees and employers and to provide a competitive advantage to the County and diverse investment opportunity.*

*EDE4 Objective 1:*

*To ensure that economic and employment development is located to optimise existing infrastructure and to support development and investment in the County's urban centres supporting orderly growth and placemaking.*

*Section 9.2.3 Building on Clusters*

*Policy EDE5: Building on Clusters*

*Support clustering, by creating, maintaining, or upgrading economic strongholds in a favourable business ecosystem.*

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*Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)*

*Policy IE3: Surface Water and Groundwater*

*Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.*

*Section 11.8.2 Casement Aerodrome*

*11.8.6 Airport and Aerodrome – Noise*

*11.8.7 Public Safety Zones*

*Chapter 12 Implementation and Monitoring*

*12.4.2 Green Infrastructure and Development Management*

### **Relevant Government Guidelines**

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

**Regional, Spatial & Economic Strategy 2020-2032 (RSES)**, Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

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

**Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities** DoEHLG (2009).

**OPR Practice Note PN01 Appropriate Assessment Screening for Development Management** (March 2021).

### **Assessment**

The main issues for assessment relate to the following items:

- Zoning and Council policy.
- Visual Impact.
- Vehicular Access and Parking.
- Drainage and Water Services.
- Green Infrastructure
- Aviation
- Screening for Appropriate Assessment.
- Screening for Environmental Impact Assessment.

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#### **Zoning and Council Policy**

The site is zoned objective EE – *'To provide for enterprise and employment related uses.'* Warehousing is 'Permitted in Principle' under this zoning objective.

The proposed development is considered ancillary to the previously permitted warehouse use at the subject site and thus is considered appropriate having regard to the zoning objective outlined in the South Dublin County Development Plan 2022-2028.

#### **Visual Impact**

##### Elevation alterations

It is proposed to amend the elevational treatment of the security hut by altering the colour of the cladding from the permitted 'Gull Grey' to the proposed 'Anthracite'.

These changes are considered acceptable and will not have a significant visual impact within the receiving context of the subject site.

##### Boundary Treatment

It is proposed to alter the previously permitted boundary treatment along the eastern and southern boundaries of the subject site from the permitted 2m high piers at approximately 12m intervals with round bar railing and dwarf wall to the proposed 2m high piers at approximately 12m intervals with round bar railing. The proposal will essentially result in the omission of the dwarf wall.

It is noted that the proposed amendments to the boundary treatment along the southern and eastern boundaries is the same proposal that was previously refused under SD21A/0239 and SD21A/0115, for stone pillars and metal fencing. It is noted that previous concerns about the proposed fence being out of character with the existing stone and railing fence, and previously permitted fence under SD18A/0314, have not been addressed. Insufficient rationale has been provided for the proposed amendments to the previously permitted fence. It is considered the proposed fence would have a negative impact on the visual amenities of the area and the element should be omitted from the proposed development via condition.

##### Omission of Security Gate

The proposed development includes the omission of the sliding security gate. Insufficient rationale has been provided for the proposed amendments to the access arrangements.

It is noted that the security gate is not located within the redline boundary in its entirety and that the applicant has not indicated ownership of the land on which it is located. This formed the reasoning for Condition 1(c) attached to SD21A/0329. The applicant has not indicated that the reason for imposing the condition has been overcome, this element of the proposal shall

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therefore be omitted and a condition similar to Condition 1(c) attached to SD21A/0329 should be imposed should planning permission be granted.

#### Accessible Car Parking Space

The proposal includes the provision of an accessible car parking space adjacent to the security hut. The proposal is acceptable in principle.

#### **Vehicular Access and Parking**

The Roads Department have assessed the proposed development and indicated no objection.

#### **Drainage and Water Services**

The Drainage and Water Services Department have assessed the proposed development and indicated no objection, subject to the following **CONDITIONS**:

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

- *Rain Gardens, Planter boxes with overflow connection to the public surface water sewer.*
- *Permeable Paving*
- *Grasscrete.'*

Irish Water have assessed the proposed development and indicated no objection, subject to **CONDITIONS**.

#### **Green Infrastructure**

The subject site is not located within a Core Area, Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028). Having regard to the nature and scale of the proposed development, i.e., amendments to the cladding of a permitted structure, boundary treatment and car parking, it is considered that it will not significantly impact on the Green Infrastructure network.

#### **Aviation**

It is noted that the proposed development is located within areas designated for protection due to aviation. However, it is not considered that the proposed amendments would be of a scale / type that would impact upon or be impacted by these features.

Noted that the IAA have no observations on the proposal.

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### **Appropriate Assessment**

The applicant has not provided information to assist the screening for Appropriate Assessment. An Appropriate Assessment Screening Report has been submitted prepared by JDA Consulting, July 2018 for application ref: SD18A/0314. This proposal seeks to amend SD18A/0314 and it is not considered that the changes would result in significantly different impacts on Natura 2000 sites. Having regard to:

- the small scale and 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**

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.

### **Other Considerations**

#### **Development Contributions**

The proposal is for amendments to a previously permitted development in the form of a change in colour of cladding, boundary treatment and car parking. No new floor area is proposed.

### **SEA Monitoring Information**

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Amendment to cladding, boundary treatment and car parking	N/A
<b>Land Type</b>	<b>Site Area (Ha)</b>
Brownfield / Urban Consolidation	3.89 Ha

### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the proposed alterations to the security hut cladding and the accessible car parking space, it is considered that, subject to conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. However, the proposed omission of the sliding security gate would

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contravene a condition attached to a previous permission, namely Condition No. 1(c) of SD21A/0239 and the proposed boundary treatment is the same proposal that was previously refused under SD21A/0239 and SD21A/0115. Insufficient rationale has been provided for these proposed amendments and thus these elements should be omitted via condition.

### **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.
  - (a) 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.
  - (b) Permission is NOT granted for the proposed fence, with stone pillars and metal fencing. Fencing permitted at this site is as per SD18A/0314.
  - (c) No works are to be undertaken to the security gate at the entrance.  
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Previous Permissions.

The conditions of permission of Reg. Refs. SD18A/0314 (ABP PL06S.304148), SD19A/0408, SD20A/0187 and SD21A/0239 shall continue to apply except where superseded by this permission or the conditions attached to this permission.  
REASON: To clarify which conditions shall apply to this development.
3. Amendments.

Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:  
Revised plans that incorporate all of the following amendments-

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(a) a layout plan indicating retention of the security gate (item 2a, drawing ref: D2, PL8) and omitting changes to boundary treatment (item 2b, drawing ref: D2, PL8);

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

### 4. Drainage - Irish Water.

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

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

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

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

- Rain Gardens , Planter boxes with overflow connection to the public surface water sewer.

- Permeable Paving

- Grasscrete 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.

### 5. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

REASON: In the interest of public health and to ensure adequate water/wastewater facilities.

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 is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

**Comhairle Chontae Atha Cliath Theas**

**PR/1133/22**

**Record of Executive Business and Chief Executive's Order**

**REG. REF. SD22A/0302**

**LOCATION: Kingswood Business Park, Baldonnell, Dublin 22.**

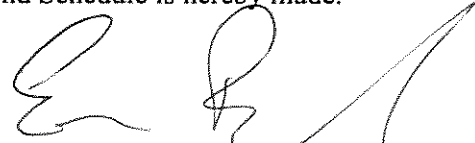


**Sarah Watson,  
Executive Planner**

**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:**

8/9/22



**Eoin Burke, Senior Planner**