

# Comhairle Chontae Atha Cliath Theas

**PR/1146/22**

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

**Reg. Reference:** SD22A/0306      **Application Date:** 19-Jul-2022  
**Submission Type:** New Application      **Registration Date:** 19-Jul-2022

**Correspondence Name and Address:** Kavanagh Burke Consulting Engineers Unit F3,  
Calmount Park, Calmount Avenue, Dublin 12, D12  
PX28

**Proposed Development:** Change of use of 4sq.m of warehouse floor area to  
Staff Facilities floor area at the ground floor plan and  
minor adjustments to the internal Staff Facilities  
layout to accommodate Part M requirements (no  
associated area alterations); elevational changes,  
addition of 2 level access doors to the building's  
northern elevation and 2 level access doors to the  
building's eastern elevation; addition of 1 fire escape  
door from the ancillary office block to the building's  
eastern elevation; associated site plan & drainage  
adjustments.

**Location:** Block R, Jordanstown Road, Aerodrome Business  
Park, Rathcoole, Co. Dublin

**Applicant Name:** Exeter Ireland Property IV C Limited

**Application Type:** Permission

(COS)

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

Site Area: stated as 5.67 Hectares on the application form.  
Site Visit: 17<sup>th</sup> of August 2022.

### **Site Description**

The subject site (known as site R) is located east of the Greenogue Business Park, Rathcoole. The site is bound by neighbouring industrial/warehouse premises to the southwest, and rural/open lands on the remaining boundaries. The site is currently under construction under Reg. Ref. SD21A/0140.

The site is located north off the R120 between Newcastle and the N7, on the edge of an established industrial estate/business park comprised primarily of light industrial, warehousing and logistics uses. The new access location is 400m from the Aerodrome roundabout and forms the eastern access to the business park from the R120 College Land (the Newcastle Road).

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Casement Aerodrome is located north-east of the subject site. A SEVESO site is located within Greenogue Industrial Estate.

### **Proposal**

Permission is sought for the change of use of 4sq.m of warehouse floor area to Staff Facilities floor area at the ground floor plan and minor adjustments to the internal Staff Facilities layout to accommodate Part M requirements (no associated area alterations); elevational changes, addition of 2 level access doors to the building's northern elevation and 2 level access doors to the building's eastern elevation; addition of 1 fire escape door from the ancillary office block to the building's eastern elevation; associated site plan & drainage adjustments.

### **Zoning**

The subject site overlaps with the following zonings under the South Dublin County Development Plan 2022-2028:

- The majority of the site is subject to zoning objective 'EE': *'To provide for enterprise and employment related uses'*.
- There is a small area in the south of the site, where it overlaps with 'RU': *'To protect and improve rural amenity and to provide for the development of agriculture'*.

### **Consultations**

Water Services – no objection subject to conditions.

Irish Water – no objection subject to conditions.

Roads Department – no objections.

Public Realm – advised no comment or objection.

SEA Sensitivity Screening – the subject site overlaps with the following layers:

- Aviation layers Inner Horizontal Surface and Noise Significant Boundaries for Casement and Bird Hazards
- Flood Zones A and B and Pluvial 1% AEP and 0.1% AEP Flood Extents (as identified in the South Dublin County Development Plan Strategic Flood Risk Assessment (July 2022))

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

None received.

### **Relevant Planning History**

*Subject site*

SD21A/0140

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Construction of 1 warehouse with ancillary office and staff facilities and associated development. The warehouse will have a maximum height of 16 meters with a gross floor area of 22,966sq.m including a warehouse area (21,113sq.m), ancillary office areas (1,163sq.m) and staff facilities (690sq.m).

The development will also include: the provision of a new vehicular access to the site from Jordanstown Road including 2 additional access gates from this new road to the existing Site E to the north; pedestrian access; 210 ancillary car parking spaces; bicycle parking; HGV yards; level access goods doors; dock levellers; access gates; hard and soft landscaping; lighting; boundary treatments; ESB substation; plant; extinguishment of the existing vehicular access (farm gate) in lieu of a proposed pedestrian access gate at the southern portion of the site from the R120; and all associated development works above and below ground; all on a site of 5.67 on lands that are bounded to the west by Blocks A - D Jordanstown Road, to the south and east by greenfield lands and to the north by greenfield lands and Block E. The site abuts the R120 Newcastle Village to Rathcoole Road to the south.

### **Permission granted.**

Conditions of relevance:

#### *7. Office Use.*

*No unit or section of the proposed floor space shall be exclusively used or sub-let as offices and all office use shall be ancillary to the logistics/warehousing use.*

*REASON: In the interest of clarity and to comply with the land zoning provisions set out for the area in the South Dublin County Development Plan 2016-2022.*

#### *9. Limitations on Use.*

*The use of the units shall be limited to logistics/warehousing and shall not be used for industrial purposes or for any other purpose without a prior grant of planning permission.*

*REASON: In the interest of clarity and of orderly development, and having regard to the proximity of Casement Aerodrome, the existing uses in Aerodrome Business Park, and the proximity of the national road and motorway infrastructure, as well as the level of car parking provided.*

#### *10. Floorspace.*

*No additional floorspace shall be formed by means of internal horizontal division within the building hereby permitted unless authorised by a prior grant of planning permission.*

*REASON: To control the intensity of development and to ensure that adequate car parking and service facilities will be provided within the development.*

### **Relevant Enforcement History**

None identified in APAS.

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### **Pre-Planning Consultation**

None identified in APAS.

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

*Policy GI1: Overarching*

*Policy GI2: Biodiversity*

*Policy GI3: Sustainable Water Management*

*Policy GI4: Sustainable Drainage Systems*

*Policy GI5: Climate Resilience*

*Policy QDP7: High Quality Design – Development General*

*Policy QDP11: Materials, Colours and Textures*

*Policy SM2: Walking and Cycling*

*Policy SM7: Car Parking and EV Charging*

*Policy EDE1: Overarching*

*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 4:*

*To direct people intensive enterprise and employment uses such as major office developments (>1,000 sq.m gross floor area) into appropriately zoned lands subject to their location within approximately 500 metres of a high frequency urban bus service and / or within 1000 metres walking distance of high capacity transport stops (Train / Luas), and to demonstrate the required walking distance or provision of a permeability project, in accordance with the Permeability Best Practice Guide (2015), to achieve same.*

*Policy EDE5: Building on Clusters*

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

*Policy IE2: Water Supply and Wastewater*

*Policy IE3: Surface Water and Groundwater*

*Policy IE4: Flood Risk*

*Policy IE7: Waste Management*

*Policy IE8: Environmental Quality*

*Policy IE13: Noise*

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*12.3.1 Appropriate Assessment*

*12.3.3 Environmental Impact Assessment*

*12.4.2 Green Infrastructure and Development Management*

*12.5.1 Universal Design*

*12.5.2 Design Considerations and Statements*

*12.7.1 Bicycle Parking / Storage Standards*

*12.7.4 Car Parking Standards*

*12.9.2 Enterprise and Employment Areas*

*Table 12.27: Key Principles for Development within Enterprise and Employment Zones*

*12.10.1 Energy Performance in New Buildings*

*12.11.1 Water Management*

*12.11.3 Waste Management*

*12.11.4 Environmental Hazard Management*

### **Relevant Government Guidelines**

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

*Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).*

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

*Circular PL 2/2014 Flooding Guidelines*

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

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

### **Assessment**

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;
- Infrastructure and Environmental Services;
- Environmental Impact Assessment; and
- Appropriate Assessment.

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

The subject site is zoned largely 'EE': 'To provide for enterprise and employment related uses' under the South Dublin County Development Plan 2022-2028. There is a small area in the south

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of the site at the pedestrian entrance, where it overlaps with 'RU': *'To protect and improve rural amenity and to provide for the development of agriculture'*.

The proposed development is for changes to a permitted warehouse. The originally permitted warehouse was permitted under the previous 2016-2022 CDP. 'Warehousing' is still Permitted in Principle under the new 2022-2028 CDP. As previously, a small south-eastern portion of the site is located within RU zoning. The inclusion of this land is for pedestrian access purposes only and no changes to this are proposed under the amendment application.

It is noted that the EE lands the subject site covers are not the newly zoned EE lands under the 2022-2028 CDP, which are currently the subject of a Ministerial Direction.

### ***Change of Use***

Under the parent permission for the warehouse unit, Reg. Ref. SD21A/0140, the following conditions are of relevance to the subject application:

#### ***7. Office Use.***

*No unit or section of the proposed floor space shall be exclusively used or sub-let as offices and all office use shall be ancillary to the logistics/warehousing use.*

*REASON: In the interest of clarity and to comply with the land zoning provisions set out for the area in the South Dublin County Development Plan 2016-2022.*

#### ***9. Limitations on Use.***

*The use of the units shall be limited to logistics/warehousing and shall not be used for industrial purposes or for any other purpose without a prior grant of planning permission.*

*REASON: In the interest of clarity and of orderly development, and having regard to the proximity of Casement Aerodrome, the existing uses in Aerodrome Business Park, and the proximity of the national road and motorway infrastructure, as well as the level of car parking provided.*

#### ***10. Floorspace.***

*No additional floorspace shall be formed by means of internal horizontal division within the building hereby permitted unless authorised by a prior grant of planning permission.*

*REASON: To control the intensity of development and to ensure that adequate car parking and service facilities will be provided within the development.*

The proposed development would involve the change of use of 4sq.m from warehouse to staff facilities within the ground floor level. The overall floor area of the warehouse would remain at 22,020sq.m. The proposal would not impact the permitted office floorspace, which remains at 999sq.m. The proposed change of use is therefore considered to be acceptable.

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#### *Visual and Residential Amenity*

Proposed elevational changes include the addition of 2 no. level access doors to the building's northern elevation, 2 no. level access doors to the building's eastern elevation, and the addition of 1 fire escape door from the ancillary office block on the building's eastern elevation. These changes are considered to be minor in nature and would not have any undue impact on visual and residential amenity.

#### *Access and Parking*

No changes to access are proposed. No changes to the overall number of car and bicycle parking spaces are proposed. It is proposed to change an EV car parking space to a mobility impaired car parking space. This reduces the number of EV car charging spaces from 19 no. to 18 no. Mobility impaired spaces would increase from 8 no. to 9 no. The Roads Department has no objections to the proposed development.

While the increase in mobility impaired spaces is welcomed, the Planning Authority notes that there is a condition on the parent permission requiring that 10% of car parking spaces shall be provided with electric vehicle charging points initially. The new 2022-2028 CDP under which the subject application is assessed states in section 12.7.5 '*EV charging shall be provided in all residential, mixed use and commercial development and shall comprise a minimum of 20% of the total parking spaces*'. Given the small scale of these proposals, it is considered proportionate that a **condition** be imposed so that the number of EV car charging spaces is not less than 19, as per the parent permission.

#### *Infrastructure and Environmental Services*

Water Services and Irish Water have reviewed the proposed development and have no objections subject to conditions. This includes for connection agreements and SUDS measures. The proposed development is for minor amendments to a permitted warehouse. Similar conditions were attached to the parent permission Reg. Ref. SD21A/0140. A **condition** should be attached to the subject application that all conditions under the parent permission shall apply, save as may be required by the other conditions attached.

The subject site overlaps with flood zone layers. Water Services have stated they have no objection in relation to flood risk. The Planning Authority notes this; the proposal does not increase the building footprint nor make any significant changes. The condition under the parent permission relating to flood risk should be conditioned to apply.

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### ***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.

### ***Screening for Appropriate Assessment***

The applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves the change of use of 4sq.m of a warehouse and internal and external amendments.

Having regard to:

- the scale and nature of the development,
- the location of the development in a serviced 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.

### **Development Contributions**

No change to overall floor area, car parking spaces and HGV parking.

Assessable area = Nil

### **SEA monitoring**

Building Use Type Proposed: Amendments to warehouse

Floor Area: 0sq.m

Land Type: Greenfield.

Site Area: 5.67 Hectares.

### **Conclusion**

Having regard to the:

- provisions of the South Dublin County Development Plan 2022-2028,
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, 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.



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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 in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Parent Permission  
All conditions attached to the permission granted under Reg. Ref. SD21A/0140, to which this application will have the effect of creating modifications to, shall apply, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the previous permission.
3. Charging of Electric Vehicles  
The applicant will ensure that no fewer than 19 of the car parking spaces make provision for the charging of electric vehicles.  
REASON: In the interest of sustainable transport and in the interests of proper planning and sustainable development.

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 requirements of the HSE Environmental Health Officer shall be ascertained

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prior to the commencement of development in the interest of public health.

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/0306**

**LOCATION: Block R, Jordanstown Road, Aerodrome Business Park, Rathcoole, Co. Dublin**



**Deirdre Kirwan,  
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:**

12/09/22

**Planner**



**Gormla O'Corrain, Senior**