

Patrick Kavanagh,  
Thornton O'Connor Town Planning  
1, Kilmacud Road Upper  
Dundrum  
Dublin 14

**NOTIFICATION OF DECISION TO GRANT PERMISSION  
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND  
PLANNING REGULATIONS THEREUNDER**

<b>Decision Order Number:</b> 1184	<b>Date of Decision:</b> 19-Sep-2022
<b>Register Reference:</b> SD22A/0313	<b>Date:</b> 26-Jul-2022

**Applicant:** Exeter Ireland IV B Limited

**Development:** Alterations to an existing planning permission Reg. Ref. SD21A/0162 for a warehouse development of 2 units (Unit 1 & Unit 2) at the 4.04ha site comprising of reduction of 237sq.m of warehouse floor area on the ground floor due to, change of use of 63sq.m of warehouse floor area to office floor area, change of use of 91sq.m of warehouse floor to staff facilities floor area on the ground floor plan, and the remainder due to the addition of a 2.4m high perimeter blockwork wall in the warehouse area; Change of use of 14sq.m of staff facilities floor area to office floor area at the ancillary office ground floor plan; Change of use of 14sq.m of office floor area to staff facilities floor area over 1st & 2nd floor plan; Reduction of 28sq.m of office over 1st and 2nd floor plan to facilitate structural alignment; Minor internal alterations to the ancillary staff facilities/office layouts with no area alterations; Elevational changes, omission of 5 dock levellers & associated canopy and addition of 1 fire escape door to the building's southern elevation; Addition of 2 fire escape doors to the building's northern elevation; Alterations to Unit 2 are as follows, omission of warehouse office/staff facilities block at the south-east & north-west corner of the warehouse resulting in, change of use of 40sq.m of office floor area to warehouse floor area and change of use of 76sq.m of staff facilities floor area to warehouse floor area on the ground floor; Addition of a 2.4m high perimeter blockwork wall internally within the warehouse area, resulting in a warehouse floor area reduction of 63sq.m; Alteration to the ancillary office/staff facilities block resulting in, a reduction of 101sq.m of office floor area and addition of 11m2 of staff

Facilities floor area on ground floor plan; Reduction of 104sq.m of office floor area & 52sq.m of staff facilities floor area over 1st & 2nd floor plan; Elevational changes, a reduction of 2 level doors and addition of 6 dock leveller doors & associated canopy to the building's north-eastern elevation; Associated site plan and drainage adjustments.

**Location:** Brownsbarn, Citywest Campus, Dublin 24.

**Floor Area:**

**Time extension(s) up to and including:**

**Additional Information Requested/Received:** /

**Clarification of Additional Information Requested/Received:** /

**DECISION TO:** Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, 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 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

### **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 condition(s) set out hereunder is thereby 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. Previous Permissions  
The applicant shall comply with all conditions of previous permission Reg. Ref. SD21A/0162 unless otherwise stated.  
REASON: In the interest of clarity and the proper planning and sustainable development of the area.

3. Development Permitted

Permission is hereby granted solely for the development which is set out in Statutory Public Notices and description of development under Section 9 of the planning application form submitted.

REASON: In the interest of clarity, consistency and the proper planning and sustainable development of the area.

4. Roads.

(a). Prior to the commencement of development, the applicant shall submit a revised layout plan indicating:

(i). 1.HGV swept path analysis showing access/egress movements at all dock levellers.

(ii). proposed locations of EV points (20% of spaces must have EV charging capacity).

(b). Prior to commencement of development, the applicant shall submit a developed Construction Traffic Management Plan for the written agreement of the Planning Authority.

(c). Prior to the commencement of development, the applicant shall submit a Public Lighting Design for the development for the written agreement of the Planning Authority.

REASON: In the interests of sustainable transport and highway safety.

5. Drainage - Irish Water.

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

(b) Prior to the commencement of development, the applicant shall obtain a letter of confirmation of feasibility for proposed development.

(c) Prior to the commencement of development, the applicant shall submit a Pre connection enquiry with Irish Water for proposed development.

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.

6. 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.

7. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €1,340,518.86 (One million three hundred and forty thousand five hundred and eighteen euro and eighty six cent), 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 Acts 2000-2011 (as amended).

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

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

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

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

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.


The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014, the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

  
for **Senior Planner**      **21-Sep-2022**

## NOTES

### **(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION**

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

### **(A) APPEALS**

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
  2. The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
  - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made.  
where the application relates to unauthorised development ..... €4.500.00 or €9.000 if an E.I.A.R. is involved
  - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made.  
other than an appeal mentioned at (a)..... €1.500.00 or €3,000.00 if an E.I.A.R. is involved
  - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b) ..... €660.00
  - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) ..... €220.00
  - (e) Application for leave to appeal ..... €110.00
  - (f) Appeal following a grant of leave to appeal ..... €110.00
  - (g) Referral..... €220.00
  - (h) Reduced fee (payable by specified bodies)..... €110.00
  - (i) Submission or observations (by observer) ..... €50.00
  - (j) Request from a party for an Oral Hearing ..... €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at

Telephone 01-858 8100