

Comhairle Chontae Atha Cliath Theas

PR/1223/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0149 **Application Date:** 23-May-2022
Submission Type: Additional **Registration Date:** 02-Sep-2022
Information

Correspondence Name and Address: Henry J Lyons 51-54, Pearse Street, Dublin 2

Proposed Development: Single storey warehouse extension of 150sq.m to the south of the existing warehouse together with ancillary works including site landscaping and drainage.

Location: United Drug House, Magna Drive, Magna Business Park, Citywest Road, Dublin 24.

Applicant Name: United Drug (Wholesale) Limited

Application Type: Permission

(CM)

Description of site and surroundings

The subject site is located on Magna Drive, within an established industrial estate. The site itself is a relatively recently constructed purpose built distribution depot. The subject site is bound by significantly landscaped and screened boundaries. The local vicinity is a mix of residential areas, including new construction to the west.

Site Area – Stated as 6.03 Ha.

Proposal

Single storey warehouse extension of 150sq.m to the south of the existing warehouse together with ancillary works including site landscaping and drainage.

Zoning

'EE' – "To provide for enterprise and employment related uses."

The site is located in close proximity to 'RES-N' zoning, immediately to the west.

SEA Monitoring

No overlaps indicated with the relevant layers.

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Consultations Received

| | |
|-----------------------------------|----------------------------------|
| Environmental Services Department | Requests Additional Information. |
| Roads | No Objection. |
| Public Realm | No comments. |

External

| | |
|----------------------------------|--------------------------------------|
| Department of Defence | No objection, subject to conditions. |
| HSE Environmental Health Officer | No objection, subject to conditions. |
| Irish Water | Requests Additional Information |

Observations/Representations/Submissions

None Received.

Planning History

SD17A/0451 - Warehouse extension of approximately 2,588sq.m to the south of the existing warehouse, a photovoltaic panel array (1,326sq.m) installed on the proposed warehouse extension roof, an extension to an existing dispatch area of 750sq.m to the north-west of the building and a single storey raised open deck (1,675sq.m) car-park structure over existing ground level car-park resulting in a cumulative loss on site of approx. 6 car spaces together with ancillary works including site landscaping and drainage.

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

SD14A/0050 - Extension to the existing front car park to provide an additional 84 spaces; it is also proposed to relocate and make alterations to the existing security fence and parking at the northeast corner of the site and to provide a smokers shed, and bicycle stand in this area.

Decision: **Grant** permission subject to conditions.

SD12A/0149 - 103sq.m cold store extension, 12m high, to existing low bay warehouse.

Decision: **Grant** permission subject to conditions.

SD03A/0882 - Amendments to plans and elevations of formerly approved Phase 2 offices and warehouse Reg. Ref. No. SD02A/0402 to include the following: (1) Revisions to the ground to third floor plans and elevations of the four storey office block and the addition of two basement areas for use as plant rooms, giving an overall increase of 304sq.m to the offices. (2) Revisions to the northern elevation treatment of the 15m high warehouse. (3) Revisions to the plant rooms in the southwest corner of the 15m high warehouse which include an additional plant room floor, giving an overall increase of 283sq.m in this area. (4) Revisions to floor plans and elevations of the warehouse offices and adjoining plant room block at the north east corner of the warehouse giving an overall increase of 102sq.m in area. (5) The addition of 2 no. 6.65m high enclosed canopies to the loading docks, each 195sq.m in area, at the rear of the warehouse, giving a total of 390sq.m. (6) The relocation of the sprinkler tank and addition of a 36sq.m pump house at the western end of the Phase 2 marshalling yard. (7) Revisions to carparks, marshalling yard layouts,

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gates and boundary fence and site works as a result of the proposed amendments and additions to the Phase 2 offices and warehouse. The overall area of the entire Phase 1, 2 and 3 developments will be 36,505.45sq.m which includes the 1115sq.m additional floor area in the revisions to Phase 2 offices and warehouse referred to above.

Decision: **Grant** permission subject to conditions.

SD02A/0402 - Retention of existing 11.45m high 1707.31sq.m. two/three storey office block and 4.7m high single storey link building, 28sq.m extension to existing 8.3m high first floor warehouse plantroom and a 5.1m high 50sq.m waste dock annex and to construct a 16.7m high 4844sq.m four storey and 13.6m high 2807sq.m three storey office blocks and associated glazed link, a 15.07m high 18,994.61sq.m. high bay warehouse with internal mezzanine levels; 11.5m high ancillary three storey offices and plant rooms, pump house, sprinkler tank, marshalling yards, sunken docks, canopies complete with carparking, service roads, 1 additional vehicular access point, fencing, landscaping and other associated works to be carried out as part of the Phase 2 and 3 development at United Drug's premises. Phase 1 consisted of the constructed 11.45m high two/three storey office block, 4.7m high link and 11.74m high low bay warehouse, 8.3m high plantroom and 5.1m high waste dock and associated site works. Phase 2 to consist of the 16.7m high 4844sq.m four storey office block, 15.07m high bay warehouse with internal mezzanine levels, 11.5m high ancillary three storey offices and plant rooms, pump house, sprinkler tank, marshalling yards, sunken docks, canopies complete with carparking, service roads, 1 additional vehicular access point, fencing, landscaping and other associated works. Phase 3 to consist of the 2807sq.m three storey office block.

Decision: **Grant** permission subject to conditions.

S99A/0956 - Alterations to formerly approved plans Ref. Ref. S99A/0414 for distribution facility comprising warehouse, 3 storey offices and high bay warehouse complete with service yards, marshalling yards, sunken docks, fencing, landscaping etc. to be built in two phases. Phase 1 will now comprise 7,103sq.m warehouse and 2,140sq.m of offices and Phase 2 comprising 11,750sq.m of high bay warehouse and 2,340sq.m of offices at Fortunestown, Jobstown and Gibbons Townlands, Tallaght, Dublin 24.

Decision: **Grant** permission subject to conditions.

S99A/0414 - Construct a distribution facility comprising of a 7376sq.m warehouse with ancillary offices, sub-station, plant rooms, an 11,876sq.m high bay warehouse both with marshalling yards, sunken docks and canopies, a 4584sq.m three storey office block, all complete with carparking, 3 vehicular access points, fencing, landscaping and other associated works to be built in two phases. Phase 1 comprising 7376sq.m warehouse and 3106sq.m of offices and Phase 2 comprising 11,876sq.m high bay warehouse and 1478sq.m of offices.

Decision: **Grant** permission subject to conditions.

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Planning Enforcement

None.

Pre-Planning Consultation

None recorded or indicated on the application form.

Relevant Policy in the South Dublin County Development Plan 2016 – 2022

Chapter 4 Economic Development and Tourism

Policy ET1 Overarching

Policy ET3 Enterprise and Employment

Section 11.1.1 Land Uses

Section 11.1.1 (iv) Transitional Areas

Section 11.2.3 Environmental Hazard Management

Section 11.2.3 (ii) Noise

Section 11.4.1 Bicycle Parking Facilities

Section 11.4.2 Car Parking Standards

Section 11.8.2 Appropriate Assessment

Fortunestown Local Area Plan 2012

Relevant Government Policy

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 and OPW (November 2009).

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

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Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Visual Impact
- Access, Transport and Parking
- Public Realm
- Drainage
- Aviation Safety
- Environmental Health
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning and Council Policy

Under the South Dublin County Development Plan 2016 - 2022, the site is subject to zoning objective 'EE' – 'To provide for enterprise and employment related uses.' 'Industrial-General' is permitted in principle in 'EE' zoned areas.

The site is in a transitional area, being located adjacent to 'RES-N' zoned lands ("To provide for new residential communities in accordance with approved area plans."). As per section 11.1.1 (iv) of the South Dublin County Development Plan 2016 – 2022,

"Abrupt transitions in scale and use should be avoided adjacent to the boundary of land use zones. Development proposals in transition areas should seek to avoid development that would be detrimental to the amenities of the contiguous zone. For example, regard should be had to the use, scale and density of development proposals in zones abutting residential or rural areas in order to protect residential or rural amenity, as appropriate."

The proposed use would be an extension to the existing use on site. In terms of scale, the proposed extension is a minor addition to the existing facilities. It is considered therefore that the established use on the site is acceptable.

Visual Impact

The proposed warehouse store would be approx. 150sqm in size and would have a height of about approx. 6.7m. It would be surrounded on all sides by the existing warehouse. The top 2.5 metres would be visible above the link building to the west, and this would be the only visual impact. This would not be injurious to surrounding sites, including residential sites. The development is acceptable.

Access, Transport and Parking

The Roads Department has stated no objection to the development and recommends no conditions.

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Public Realm

The Public Realm Department has confirmed they have no comments to add.

Drainage

The Irish Water report seeks additional information in the form of clarification as to separation distance from nearest public watermain, or else a letter of feasibility from Irish Water. Water maps show a water main in the vicinity, though the accuracy of these maps is not ensured. The planning history shows that a number of conditions have been applied in the past to establish and/or agree the final drainage layout. On inspecting previous plans, no compliance submissions relating to these conditions can be found, or a map showing the location of the watermain in the locality.

In relation to surface water drainage, the proposed extension would be built over an existing surface water drain. The architect's plan states that the pipe will be protected as per engineer's detail – however no such detail has been submitted with the application.

The Environmental Services Department has sought additional information, seeking a SUDs proposal for the development. There is a landscaped feature garden directly to the south of the proposed extension and it is considered appropriate that natural SUDs features (such as a rain garden) can be included there as part of the development.

It is considered appropriate to seek **additional information** in relation to the position of the watermain (to finally clarify this point), the measures to protect and/or divert the surface water pipe, and SUDs measures to ensure the new extension complies with the council's green infrastructure and flood protection policies adopted in 2016.

Aviation Safety

The Department of Defence has recommended two conditions in the event of a grant of permission, relating to the construction phase, as follows:

- Notify the department 30 days in advance of use of cranes
- Use adequate bird control measures on-site.
-

These conditions are acceptable and appropriate.

Environmental Health

The HSE Environmental Health Officer has recommended **conditions** relating to noise control and air quality during the construction phase. These conditions are appropriate.

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Screening for 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

See below tables for screening for appropriate assessment.

Table 1: Description of the project and site characteristics

| | |
|--|---------------------------------|
| Planning File Reference | SD21A/0065 |
| Brief description of the project | See description of development. |
| Brief description of site characteristics | See above description. |
| Application accompanied by a NIS Y/N | No. |

Table 2: Identification of European Sites which may be impacted by the project

| European Site | List of Qualifying Interest/ Special Conservation Interest | Distance from proposed development (km) | Connections (Source-Pathway- Receptor) | Considered further in screening Y/N |
|-------------------------------|---|--|---|--|
| Glenasmole Valley SAC | 3 Qualifying Interests CO001209.pdf (npws.ie) | 3.7 | None. | No |
| Wicklow Mountains SAC | 13 Qualifying Interests ConservationObjectives.rdl (npws.ie) | 5.3 | None. | No |
| Rye Water Valley / Carton SAC | 3 qualifying interests. | 8.4 | None. | No |
| Red Bog, Kildare SAC | Transition mires [7140] | 11.8 | None. | No |
| Poulaphouca Reservoir SPA | | 11.8 | None. | No. |
| Wicklow Mountains SPA | Merlin (Falco columbarius) [A098] Peregrine (Falco peregrinus) [A103] | >15 | None. | No |
| South Dublin Bay SAC | 4 Qualifying Interests ConservationObjectives.rdl (npws.ie) | 14.3 | Weak hydrological pathway via River Camac and discharges from | Yes |
| South Dublin | 14 Qualifying Interests | 14.3 | | Yes. |

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| | | | | |
|---------------------------------|--|-----|----------------|------|
| Bay and River Tolka Estuary SPA | ConservationObjectives.rdl (npws.ie) | | Ringsend WWTP. | |
| North Bull Island SPA | See applicants' report. | >15 | | Yes. |

Table 3: Assessment of Likely Significant Effects

| | |
|--|--|
| Identify all potential direct and indirect impacts (alone or in combination) that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project: | |
| Likely Impacts | Possible Significance of Impacts (duration, magnitude etc.) |
| <p>Construction phase</p> <ul style="list-style-type: none"> • Uncontrolled releases of silt, sediments and/or other pollutants to air due to earthworks • Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies. • Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater. • Waste generation during the Construction Phase comprising soils, construction and demolition wastes. • Increased noise, dust and/or vibrations as a result of construction activity. • Increased dust and air emissions from construction traffic. • Increased lighting in the vicinity as a result of construction activity. | None. |
| Operational phase e.g. Surface water drainage from the site. | None. |
| Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening? | |
| Yes | |

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Table 4: Screening Determination Statement

| | | |
|---|----------------------------|---|
| Assessment of significance of effects: | | |
| Describe how the proposed development (alone or in-combination) is/is <u>not likely</u> to have <u>significant</u> effects on European site(s) in view of its conservation objectives. | | |
| Conclusion: | | |
| | Indicate (X) | Recommendation |
| It is clear that there is no likelihood of significant effects on a European site | X | The proposal can be screened out. Appropriate assessment not required. |
| It is uncertain whether the proposal will have a significant effect on a European site | | Request further information to complete screening Request NIS Refuse permission |
| Significant effects are likely | | Request NIS Refuse permission |
| Completed by | SDCC Planning Department | |
| Date | 15 th July 2022 | |

Other Considerations

Bonds & Contributions

Commercial Warehouse and office – total floor area: 150 sqm

SEA Monitoring

| | |
|--------------------|----------------------------------|
| Development Type | Industrial/Commercial |
| Floor Area (Sq.m.) | 150 |
| Site Type | Brownfield / Urban Consolidation |
| Site Area (Ha.) | 6.03 |

Conclusion

The proposed development is acceptable in principle; however, there are additional details required regarding the location of nearby Irish Water services; measures to protect the existing surface water drainage infrastructure, and SUDs measures.

Recommendation

Request Additional Information.

Additional Information

AI was requested on 18th July 2022 and received from the applicant on 2nd September 2022.

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Further Consultations

| | |
|----------------|--------------------------------------|
| Water Services | No objection, subject to conditions. |
| Irish Water | No objection, subject to conditions. |
| Public Realm | No report received. |

Assessment of Additional Information

Item 1

Irish Water.

The applicant is requested to either:

(i) Submit a drawing showing the distance of proposed development to the nearest public watermain;

OR

(ii) Submit a letter of confirmation of feasibility from Irish Water for the proposed development.

Response

The applicant has shown the existing watermain on a layout drawing and contends that no confirmation of feasibility is necessary, as the existing Irish Water connection will not be altered as part of the development.

Assessment

The Irish Water report recommends that prior to commencement of development, the applicant enter into a connection agreement with Irish Water. This can be dealt with by **condition**.

Item 2

Surface Water Drainage.

(a) The applicant is requested to provide a section drawing or other details as necessary, to show how the existing SW pipe located under the proposed structure can be protected.

(b) The applicant is requested to:

(i) Submit revised plans and a report as necessary showing the SuDS proposed for the development. Show how SuDS will be used to attenuate surface water for proposed development. The applicant should consider natural SUDs features to direct and use rainwater in the adjoining landscaped garden. Examples of SuDS include, and this is not an exhaustive list;

- Green Roofs
- Permeable Paving,
- Channell rills
- Tree pits
- Grasscrete
- Planter boxes and other such SuDS

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Guidance on SuDS can be found on South Dublin County Council Website at [sdcc-suds-explanatory-design-and-evaluation-guide.pdf](#)

(ii) Submit a report showing surface water attenuation calculations for the proposed development.

Response

The applicant has provided technical details of protection measures for the existing surface water pipe, a green roof SUDs proposal for the new extension, and attenuation calculations.

Assessment

The Water Services report states no objection subject to standard conditions related to drainage works. This is acceptable.

Screening for 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

See below tables for screening for appropriate assessment.

Table 1: Description of the project and site characteristics

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|--|---------------------------------|
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| South Dublin Bay SAC | 4 Qualifying Interests ConservationObjectives.rdl (npws.ie) | 14.3 | Weak hydrological pathway via River Camac and discharges from Ringsend WWTP. | Yes |
| South Dublin Bay and River Tolka Estuary SPA | 14 Qualifying Interests ConservationObjectives.rdl (npws.ie) | 14.3 | | Yes. |
| North Bull Island SPA | See applicants' report. | >15 | | Yes. |

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Table 3: Assessment of Likely Significant Effects

| Identify all potential direct and indirect impacts (alone or in combination) that may have an effect on the conservation objectives of a European site, taking into account the size and scale of the project: | |
|--|--|
| Likely Impacts | Possible Significance of Impacts (duration, magnitude etc.) |
| <p>Construction phase</p> <ul style="list-style-type: none"> • Uncontrolled releases of silt, sediments and/or other pollutants to air due to earthworks • Surface water run-off containing silt, sediments and/or other pollutants into nearby waterbodies. • Surface water run-off containing silt, sediments and/or other pollutants into the local groundwater. • Waste generation during the Construction Phase comprising soils, construction and demolition wastes. • Increased noise, dust and/or vibrations as a result of construction activity. • Increased dust and air emissions from construction traffic. • Increased lighting in the vicinity as a result of construction activity. | None. |
| <p>Operational phase e.g. Surface water drainage from the site.</p> | None. |
| Are 'mitigation' measures necessary to reach a conclusion that likely significant effects can be ruled out at screening? | |
| Yes | |

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Table 4: Screening Determination Statement

| | | |
|--|---------------------------------|---|
| Assessment of significance of effects: | | |
| Describe how the proposed development (alone or in-combination) is/is <u>not likely</u> to have <u>significant</u> effects on European site(s) in view of its conservation objectives. | | |
| Conclusion: | | |
| | Indicate (X) | Recommendation |
| It is clear that there is no likelihood of significant effects on a European site | X | The proposal can be screened out. Appropriate assessment not required. |
| It is uncertain whether the proposal will have a significant effect on a European site | | Request further information to complete screening Request NIS Refuse permission |
| Significant effects are likely | | Request NIS Refuse permission |
| Completed by | SDCC Planning Department | |
| Date | 29 th September 2022 | |

Other Considerations

Bonds & Contributions

| | |
|--|------------|
| Are any exemptions applicable? | No |
| If yes, please specify: | |
| Is development commercial or residential? | Commercial |
| | |
| Standard rate applicable to development: | 98.76 |
| % reduction to rate, if applicable (0% if N/A) | 0 |
| Rate applicable | 98.76 |
| | |
| Area of Development (m2) | 150 |
| Amount of Floor area, if any, exempt (m2) | 0 |
| Total area to which development contribution applies (m2) | 150 |
| | |
| Vehicle display areas/ Open storage spaces | 0 |
| Rate applicable | €9.88 |
| Contribution | €0.00 |
| | |
| Total development contribution due | €14,814.00 |

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SEA Monitoring

Development Type: Commercial

Floor Area (sqm): 150

Site Type: Brownfield/Urban Consolidation

Site Area (Ha): 6.03

Conclusion

The applicant has answered the request for additional information satisfactorily. The proposed development would not be seriously injurious to any adjoining properties or the amenities of the area, and the intensification of a permissible use on the site is acceptable and would be in accordance with the proper planning and sustainable development of the area.

Recommendation: Grant permission

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 to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 2nd September 2022, 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. Drainage - Irish Water.
 - (a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have

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a minimum thickness surround of 150mm Concrete Class B.

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.

3. 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, as necessary.

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

4. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

5. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

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- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

6. Operational Noise.

(a) Noise due to the normal operation of the proposed development, expressed as LAeq over 15 minutes at the façade of any noise sensitive location, shall not exceed the daytime background level i.e. 0700 – 1900 by more than 10 dB(A) and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 .

Clearly audible and impulsive tones at noise sensitive locations during evening and night as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be avoided irrespective of the noise level.

(b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any residence, adjoining premises or public place in the vicinity.

(c) All mechanical plant and ventilation inlets and outlets should be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as LAeq over 15 minutes at 1 meter from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

7. Aviation Safety.

(a) Operation of cranes shall be coordinated with Air Corps Air Traffic Services, no later than 28 days before use. Air Corps Traffic Services are contactable at airspaceandobstacles@defenceforces.ie or 01 - 403 7681.

(b) The developer should implement adequate bird control measures during the construction phase to mitigate the effects of birds on Air Corps flight operations.

REASON: To protect Aviation safety at Casement Aerodrome.

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8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €14,814.00 (Fourteen Thousand, Eight-Hundred and Fourteen Euro), 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 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.

NOTE: The applicant is advised that where industrial effluent is produced or stored a licence may be required under the provisions of the Waste Management Act.

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

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NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

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REG. REF. SD22A/0149

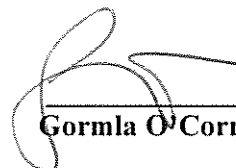
**LOCATION: United Drug House, Magna Drive, Magna Business Park, Citywest Road,
Dublin 24.**



**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 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: 29/09/22



Gormla O'Corrain, Senior Planner