

Comhairle Chontae Atha Cliath Theas

PR/1363/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0350 **Application Date:** 08-Sep-2022
Submission Type: New Application **Registration Date:** 08-Sep-2022

Correspondence Name and Address: McAulay Rice Architects Greentree House,
Fitzwilliam Square, Main Street, Wicklow Town.,
A67 DK61

Proposed Development: 93sq.m extension for office space at first floor level
(internally) to an existing 279.87sq.m light industrial
and warehousing unit and all associated site works.

Location: Unit B12, South City Business Park, Killinarden
Link Road, Whitestown Way, Tallaght, Dublin 24.

Applicant Name: Emma O Gorman Wall

Application Type: Permission

(CM)

Description of Site and Surroundings:

Site Description:

The subject site is a light industrial unit the City South industrial estate. A row of 7 no. warehouse units forms Block B of the estate. This linear block is arranged along a north-south axis with access and parking to the east.

Site Area: 0.0269 Ha.

Proposal:

93sq.m extension for office space at first floor level (internally) to an existing 279.87sq.m light industrial and warehousing unit and all associated site works.

Zoning

The site is subject to zoning objective 'EE' – "Employment and Enterprise".

Screening for Strategic Environmental Assessment

No overlap with the relevant environmental layers.

Consultations:

Water Services	No objection, subject to conditions.
Irish Water	No report.
Roads	No objection.

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Submissions/Observations /Representations

None.

Relevant Planning History

SD10A/0215 – SDCC **granted permission and retention** for change of use from light industrial and warehousing to light industrial warehousing and use as a place of worship, community and cultural use; the retention of existing mezzanine floor for light industrial and warehouse use.

Relevant Enforcement History

None.

Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Development Plan (2022 - 2028)

Chapter 9 Economic Development and Enterprise
Section 9.1 Employment in South Dublin
Policy EDE4 Urban Growth, Regeneration and Placemaking
Section 9.4.2 Retail Hierarchy
Section 9.5.1 Tallaght
Policy EDE9 Retail – Tallaght Town Centre

Chapter 12 Implementation

Tallaght Town Centre Local Area Plan 2020

Section 5.3 Community Facilities

Relevant Government Policy

Ministerial Guidelines and Policy

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.

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

Departmental Circulars, Department of Housing, Planning and Local Government (2020) – as listed:

PL02/2020: Covid-19 Measures

PL03/2020: Planning Time Periods

PL04/2020: Event Licensing

PL05/2020: Planning Time Periods

PL06/2020: Working Hours Planning Conditions

PL07/2020: Public Access to Scanned Documents

PL08/2020: Vacant Site Levy

Circular NRUP 02/2021 - Residential Densities in Towns and Villages

Assessment

The main issues for assessment are:

- Zoning and Council policy
- Additional Floorspace and Visual Impact
- Access, Transport and Parking
- Infrastructure and Environmental Services
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning and Council Policy

Under the South Dublin County Development Plan 2022 – 2028, the site is subject to zoning objective 'EE' – 'To provide for enterprise and employment related uses.' The extension of the present light industrial use is permitted in principle; the proposed offices are considered to be ancillary to this use and therefore an extension thereof.

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Additional Floorspace and Visual Impact

The proposed additional floor space at first floor level would extend the mezzanine level. There is no visual impact arising.

Access, Transport and Parking

The Roads Department states no objection.

Infrastructure and Environmental Services

Water services state no objection, subject to water services being separated as is standard.

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

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of a house extension.

Having regard to:

- the small scale and domestic nature of the development;
- the distance from any European sites;
- the lack of a hydrological connection to any European sites;

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

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Other Considerations

Development Contributions

Planning Reference Number	SD22A/0350
Summary of permission granted:	
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)	93
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	93
Vehicle display areas/ Open storage spaces	0
Rate applicable	€9.88
Contribution	€0.00
Total development contribution due	€9,184.68

SEA Monitoring

Development Type: Commercial

Floor Area (sq.m.): 93 sqm increase

Site Type: Brownfield / Urban Consolidation

Site Area (ha.): 0.0269

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Conclusion

The proposed development is a suitable use in this area, and the extension of that use is permissible in principle. The proposed development would, subject to the conditions attached herewith, adhere to the South Dublin County Development Plan 2022 – 2028 and the Tallaght Town Centre Local Area Plan 2020, and support the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for 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, 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 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

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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:

- 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

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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. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €9,184.00 (Nine Thousand, One-Hundred and Eighty-Four Euro, and Sixty-Eight Cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development 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

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and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

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: 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/0350

**LOCATION: Unit B12, South City Business Park, Killinarden Link Road,
Whitestown Way, Tallaght, 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: 28/10/22



Gormla O'Corrain, Senior Planner