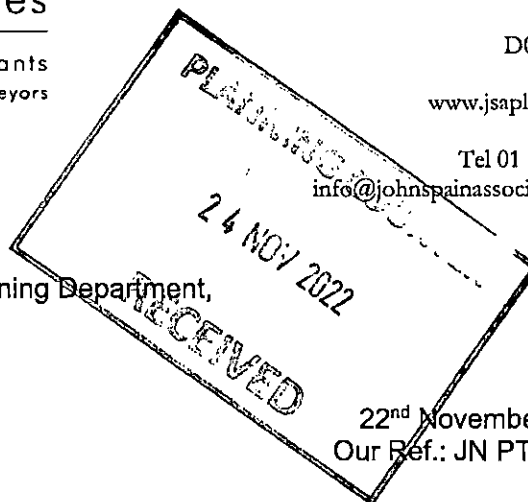


South Dublin County Council,
Land Use, Economic and Transport Planning Department,
County Hall,
Tallaght,
Dublin 24.



22nd November 2022
Our Ref.: JN PT 18145

Dear Sir / Madam,

RE: RESPONSE TO CLARIFICATION OF FURTHER INFORMATION REQUEST IN RESPECT TO A PLANNING APPLICATION FOR WAREHOUSING / LOGISTICS, OFFICE AND CAFÉ / RESTAURANT DEVELOPMENT AT CALMOUNT ROAD AND BALLYMOUNT AVENUE, BALLYMOUNT INDUSTRIAL ESTATE, DUBLIN 12

SDCC REG. REF.: SD22A/0099

INTRODUCTION

On behalf of the applicant, Blackwin Limited, we hereby submit a response to a Clarification of Further Information Request in respect of planning application Reg. Ref.: SD22A/0099 for a proposed warehousing / logistics, office and café restaurant development at Calmount Road and Ballymount Avenue, Ballymount Industrial Estate, Dublin 12.

A coordinated response to the CFI Request has been prepared by the applicant and design team and we summarise the response to each CFI Item below with reference to accompanying documentation for ease of reference.

The CFI Response documentation consists of the following:

- Updated Architectural Design Statement, CFI Architectural Drawings, Area Schedule and Issue Sheet prepared by TOTA Architects;
- CFI Engineering Response Report, CFI Engineering Drawings and Issue Sheet prepared by DBFL Consulting Engineers;
- CFI Landscape Response Report, CFI Landscape Drawings and Issue Sheet prepared by Murray & Associates;
- CFI Cover Letter, CFI M&E Drawings and Schedule prepared by PMEP Consulting Engineers;
- Space Extensive Enterprises Statement prepared by Passive Dynamics;
- Glint and Glare Assessment prepared by Macroworks;
- AWN Letter in respect to Seveso Sites; and
- This CFI Cover Letter prepared by John Spain Associates

Managing Director: John P. Spain BBS MRUP MRICS ASCS MRTPI MIPI

Executive Directors: Paul Turley BA MRUP Dip Environmental & Planning Law MIPI Rory KUNZ BA (MOD) MIS/ERM MAT&CP Dip EIA Mgmt. MIPI
Stephen Blair BA (Mod) MRUP MIPI MRTPI Blaine Cregan B Eng BSc MSc

Senior Associate Directors: Luke Wymer BA MRUP Dip Plg & Env Law Dip PM Prof Cert Env Mgmt MIPI

Meadhbh Nolan BA MRUP MRTPI Kate Kerrigan BA MSc MRTPI

Associate Director: Ian Livingstone MA (Hons) Town & Regional Planning, MSc. Spatial Regeneration. MRTPI

John Spain Associates Ltd. trading as John Spain Associates. Directors: J. Spain, S. Spain.
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Six no. hardcopies and one no. soft copy of the above documentation is submitted with this CFI response.

ITEM 1- Item 2 Clarification

"The Forward Planning team has expressed concerns regarding the proposed road layout stating that it could be premature and that the applicant should further examine the potential to arrange unit 2 so as not to preclude the future realignment of this road."

RESPONSE: A detailed response to this item is included in DBFL's Engineering Response Report with reference to the accompanying drawings and is reflected in the updated Site Plan prepared by TOTA, which includes a revised layout for Unit 2. The revised proposals have been the subject of consultation and agreement in principle with the relevant departments in SDCC before formally submitting the CFI response.

As illustrated in TOTA's updated Proposed Site Plan, DBFL drawing 1101 and 1121 and described in DBFL'S Engineering Response Report, in response to this item of the CFI Request, the internal road layout and layout of Unit 2 has been revised to provide for a potential future access to the north-west (which could connect to Ballymount Road Lower via Crosslands Business Park), whilst retaining the potential for a future access through the Galco site through the northern site boundary.

It is respectfully submitted that the proposed solution thereby addresses Item 1 of the CFI request as we have rearranged Unit 2 to provide for a potential future road alignment through the north-west of the site to connect to Crosslands Business Park. The revised layout indicates a future potential development site to the north of the realigned access road to Unit 2 (and the future potential link road to Crosslands Business Park and Ballymount Road Lower), which would be subject to a separate planning application, and incorporates a reduction in GFA for Unit 2 with a revised service yard layout and access arrangements.

Please refer to DBFL's CFI Response documentation for technical details of the revised road and Unit 2 layout. It is respectfully submitted that from a development management perspective and Forward Planning / City Edge perspective, the options illustrated for potential future connections to Ballymount Road Lower are sufficient in addressing any concerns in respect to prematurity of the proposed development as the proposals deliver on the north-south roads objective of the Development Plan through the site, whilst also now future proofing for other potential options for realignment of the roads connection through the site based on the non-statutory City Edge Strategic Framework plan.

ITEM 2- Clarification of Item 3

"The applicant is requested to provide revised proposals on proposed cycle tracks and proposed shared pedestrian/cycle areas including tactile paving crossing points at the south-east corner of the application site with a view to resolving the interface between the proposed development and the NTA's Greenhills to City Centre Core Bus Corridor particularly the upgrade to the junction between Calmount Road and Ballymount Avenue. The applicant is requested to take the following into consideration:

- *The Emerging Preferred Bus Connects Route*
- *There is a proposed 2-way cycle track indicated on Calmount Road, western side of junction*
- *BusConnects provides a tie-in on western side of junction for single cycle provision either side of road.*
- *Proposed development north-west cycle track does not match BusConnects proposal where a footpath is proposed at boundary to proposed development*

The applicant is requested to provide a clear copy of the Network Flow Diagrams in Appendix A of the TIA. in order to check the capacity of the straight and left-turn lane approaching the junction from the south in order to ensure that BusConnects proposals will not be compromised."

RESPONSE: A detailed response to this item is included in DBFL's Engineering Response Report with reference to accompanying drawings and is reflected in the updated Site Plan prepared by TOTA, which includes a revised layout for Unit 2 and updated proposals along Calmount Road and Ballymount Avenue (included within the red and purple line boundaries).

As set out in DBFL's Engineering Response Report, the details included are now based on the latest proposals provided by the NTA for the Greenhills to City Centre Core Bus and demonstrate that the proposals are consistent with each other, with minor deviations in respect to cycle lane provision. However, should the Planning Authority require further comfort on this matter, we suggest that a condition could be attached to a grant of planning permission requiring the applicant to liaise with the NTA and Planning Authority prior to implementing these works and submit details of the proposals to the Planning Authority prior to implementing these works.

As set out in the FI response documentation, other works which are identified within a purple line boundary as part of the FI and CFI response (i.e. outside the original application red line boundary) on Calmount Road and Ballymount Avenue can be required to be implemented as a condition of planning if considered to be necessary by the Planning Authority as provided for under Section 34(4)(B) of the P&D Act 2000, as amended. It is considered that should the applicant be required to provide cyclepaths and footpaths on Calmount Road beyond the application site boundary that the cost of these works should be offset against the Section 48 Development Contributions and this should be acknowledged in the relevant condition, if being attached by the Planning Authority to the notification of decision to grant permission.

ITEM 3- Item 8 Clarification.

Due to the number of sub-sections within Item 3, we provide responses under each of the subsections below.

"In light of the new CDP, the applicant is requested to clarify the following:

a. In terms of EDE7 Objective 2, The proposal is acceptable in light of objective 1 and the element relating to data centres is not relevant, however, the applicant is requested to address the remaining criteria. The applicant is also requested to indicate compliance with 12.9.4 Space Extensive Enterprises.

Response: Please refer to the Space Extensive Enterprises Statement prepared by Passive Dynamics in consultation with the wider design team which addresses the above referenced requirements of the new Plan.

b. GSF - The applicant sets out in their report that a score of 0.18 is achieved. The minimum score required is 0.5. The applicant is requested to demonstrate that the minimum score is achieved on site.

Response: Please refer to the CFI Response report prepared by Murray & Associates which demonstrates that the optimum GSF factor has been achieved for this development. Whilst not fully complying with the target of 0.5 GSF the scheme includes a significant number of positive green infrastructure elements, and given the proposed uses are fully

compliant with the EE zoning objective, it is respectfully submitted that in this instance the approach to green infrastructure for the proposed development is acceptable. We refer the Planning Authority to Murray & Associates CFI response documentation, in addition to the Green Infrastructure Report submitted at FI stage for further details and justification.

c. QDP2 Objective 1 and 12.5.2 Design Considerations and Statements, 'The Plan Approach' Compliance Report – the applicant is requested to provide a standalone statement

d. 12.5.2 Design Considerations and Statements, Design Statements – the applicant is requested to provide a standalone statement

e. Table 3.18 Key Principles for Healthy Placemaking and Public Realm at Neighbourhood level – the applicant is requested to provide a standalone statement

Response: In response to Item 3(c), (d) and (e) of the CFI Request, TOTA Architects have prepared an updated Architects Design Statement (ADS) which specifically responds to each of the above items of the Development Plan 2022-2028. Thus, the updated ADS provides a standalone statement which addresses the requirement for 'The Plan Approach-Compliance Report' and a Design Statement under Section 12.5.2 of the CDP. In addition, it includes two tables which demonstrates how the requirements of both Table 3.18 and 12.27 of the CDP are met in the context of the proposed development, which have been prepared by TOTA in consultation with DBFL and Murray & Associates. We note that the requirement for a 'Street Design Statement' was addressed at FI stage.

f. 12.8.6 Public Art - the applicant is requested to submit details indicating compliance with this.

Response: The CFI Response documentation prepared by Murray & Associates provides a response to this item, noting that the public realm proposals could be considered to satisfy the public art requirement for the development. However, it is acknowledged that if this is not accepted, that the details of the public art for the proposed development can be agreed as a condition of planning prior to completion of the development (i.e. rather than prior to commencement of development, as it may take time to reach agreement on this matter).

g. 12.9.8 Seveso Sites - the applicant is requested to submit details indicating compliance with this.

Response: Please refer to the accompanying letter prepared by AWN Consulting which responds to the above requirement of the Development Plan and demonstrates that the proposed development at Calmount Road is outside of the Consultation Distance surrounding the Irish Distillers COMAH establishment and that there are no significant consequences for human health or the environment at the proposed development at Calmount Road given the separation distance to this Seveso site.

h. 12.10.4 Solar Photovoltaic - the applicant is requested to submit details indicating compliance with this.

Response: Please refer to the Space Extensive Enterprise Statement prepared by Passive Dynamics and the separate Glint and Glare Assessment prepared by in consultation with the wider design team which includes a section responding to each of the criteria identified in the CDP under Section 12.10.4 Solar Photovoltaic for Buildings.

Thus, it is apparent from the above and the documentation submitted with this CFI request, and at previous stages of the planning application process, that all relevant requirements of

the new CDP have been addressed in a reasonable and balanced manner and it has been demonstrated that the proposal is consistent with the proper planning and sustainable development of the area.

ITEM 4- Response Period

"The applicant should note that Further Information was requested on 31 May 2022. Any response to this Further Information must be received by the Planning Authority within 6 months of this date. The applicant is advised that, under Article 33(3) of the Planning and Development Regulations, the Planning Authority may agree to an additional period, not exceeding 3 months, to respond to the request for Further Information. The applicant should note that any such request should be made prior to the submission of details in accordance with this Clarification of Further Information request."

RESPONSE: The CFI response has been submitted in advance of the original 6 month deadline from the issuing of the FI request, i.e. before the 30th of November 2022. However, in addition the applicant requested a 3 month time extension for responding to the CFI request on the 22nd of November 2022, i.e. in advance of submitting the CFI response.

CONCLUSIONS

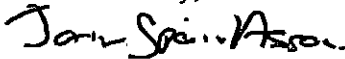
It is respectfully submitted that the response to the Clarification of Further Information Request now submitted addresses all items raised in a comprehensive manner and has been the subject of discussions with relevant personnel in the Planning Authority prior to lodgement. Should there be any further points of detail identified by the Planning Authority during their assessment of the CFI response it is respectfully submitted that such matters would be most appropriately dealt with by way of a condition of planning.

Thus, having regard to the comprehensive documentation submitted, the high quality architectural, urban, street and landscape design of development proposed, the options provided on potential future connections to the north (including a reduction in size and revised design for Unit 2), and given the compatibility with the Enterprise and Employment (EE) land use zoning under the County Development Plan 2022-2028, we respectfully request the Planning Authority to issue a grant of permission subject to conditions.

In respect to the potential for additional works on Calmount Road and Ballymount Avenue (see DBFL's response), and similar to the approach at FI stage, we have not amended the original red line application site boundary to incorporate these works as they are all proposed on lands within the Planning Authority's control and therefore can be the subject of a condition of planning, as provided for under Section 34(4)(B) of the P&D Act 2000, as amended), if considered to be necessary to facilitate the proposed development.

If you have any queries in respect to the documentation submitted, please do not hesitate to contact us.

Yours faithfully,



John Spain Associates