

South Dublin County Council,
Planning Department,
County Hall,
Tallaght,
Dublin 24.
D24 YNN5

E: planningdept@sdblincoco.ie

Date: 18th May 2023
JSA Ref.: PT 18145

Dear Sir/Madam,

RE: DETAILS OF COMPLIANCE WITH CONDITIONS NO. 11 AND NO. 12 OF THE PERMITTED WAREHOUSING / LOGISTICS, OFFICE AND CAFÉ / RESTAURANT DEVELOPMENT AT CALMOUNT ROAD AND BALLYMOUNT AVENUE, BALLYMOUNT INDUSTRIAL ESTATE, DUBLIN 12

SDCC REG. REF.: SD22A/0099

CONDITION NO. 11 (DRAINAGE) AND CONDITION NO. 12 (IRISH WATER)

Introduction

On behalf of the applicant, Blackwin Limited, The Herbert Building, The Park, Carrickmines, Dublin 18, we hereby submit a compliance submission in respect to Condition No. 11 and Condition No. 12 of Reg. Ref.: SD22A/009, the final grant of permission for which is dated the 3rd of February 2023.

The subject permission relates to *inter alia* the construction of five no. warehouse/logistics units, 3 no. own door office buildings, a café unit, and all associated development.

This submission, as outlined below, relates to Condition No. 11 and Condition No. 12 and is submitted in soft copy format only. A summary response to each condition is provided below with reference to the accompanying Cover Letter, Surface Water Drainage Report and associated drawings and issue sheet prepared by DFK Consulting Engineers.

Condition 11 reads as follows:

"11. Drainage.

(A) Prior to the commencement of development, the applicant shall submit a revised drawing clearly showing all petrol interceptors installed upstream of attenuation systems, in accordance with The Greater Dublin Regional Code of Practice for

Drainage Works. All flow control devices should also be installed downstream of any attenuation system.

(B) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use.

(C) All works for this development shall comply with the requirements of The Greater Dublin Regional Code of Practice for Drainage Works

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.”

Response to Condition No. 11

Overall Approach- As illustrated on DFK Drg No. 23022-01B – Proposed Site Layout, the drainage details included in this compliance submission relates primarily to the southern part of the permitted development (i.e. Unit 2, 6, office buildings 5A to 5C and the café unit and associated areas), and also includes the north-south road up to and the roundabout at the northern boundary of the site, for which compliance with Condition 11 (a) to (c) above is sought.

As set out in the accompanying DFK documentation, following a detailed design exercise undertaken post receipt of the final grant of permission, including a more detailed site investigations exercise, an amendment planning application to alter the floor levels and associated site levels including access road levels for Unit 2, 3 & 4 will be brought forward to ensure compliance with the current Building Regulations. DFK have outlined that this is merely a planning exercise to adjust floor levels only and not re-size or significantly alter the proposed locations of the units that might have an effect on the overall drainage design submitted as part of this application. DFK have confirmed that the proposed modifications tie-in with the permitted proposals on the remained of the site, as set out in this compliance submission.

DFK also note that the future development site to the north of Unit 2 will be subject to a separate planning application, and therefore is not subject to this compliance submission.

As noted in DFK’s cover letter, the drainage strategy and compliance details included in this submission were discussed with Brian Harkin, SDCC Drainage Department, prior to formal submission and the principle was agreed.

Item 11(a)- In response to Item (a) of the foregoing condition, we refer to the Cover Letter and accompany drawing DFK Drg. 23002-02/B, 23002-03/B, 23002-04 and 23002-05 which provides details on the updated drainage proposal. Drainage details and typical details are included on DFK Drg. 23002-10, 2302211/A and 23002-12.

The response prepared by DFK outlines that following site investigations completed on site, infiltration is available and for this reason the surface water design has been amended and infiltration will be prioritised as the method of controlling surface water runoff from the proposed development site. While it has not been possible to omit the below ground attenuation systems entirely, in line with SDCC development plan IE2 Objective 5, the amended design significantly reduces the attenuation required on site. The amended surface water design is outlined in the ‘Surface Water Drainage Report’ prepared by DFK.

Item 11(b)- In response to Item (B), DFK confirms that the surface water and foul water drainage systems will be laid as separate systems and drains will be laid such as to minimise the risk of misconnections. The revised drainage layout is shown on DFK Drg. 23002-02/B and 23002-03/B illustrating same.

Item 11(c)- In response to Item (C), DFK note that all works for this development will comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works. We request that the Planning Authority review the documentation and issue a letter of confirmation that the drainage proposals for the area of the application site illustrated on DFK Drg No. 23022-01B – Proposed Site Layout complies with the requirements of Condition No. 11, whilst noting that the drainage details of the remainder of the permitted development will be addressed through a subsequent amendment application.

Condition No. 12 reads as follows:

“12 Irish Water.

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 interests of public health and to ensure adequate water/wastewater facilities.

Response to Condition No. 12

In response to the foregoing condition, we refer to the Cover Letter prepared by DFK Consulting Engineers which confirms that an application has been submitted to Irish Water for a water and wastewater connection. Water reference for the application is CDS2300185101. Details of the connection agreement are awaited from Irish Water, however, the applicant confirms that they will enter into this agreement once issued by Irish Water and provide details to the Planning Authority in due course. We trust this approach is acceptable prior to commencement of enabling works on site.

Conclusion

We would be grateful if you could review the attached documentation and issue a letter of confirming that the proposals submitted in respect to Condition No. 11 and Condition No. 12 are acceptable, whilst noting that a separate amendment application is required to finalise floor and site levels for Unit 2, 3 and 4, and immediately adjacent areas, and that the details of the connection agreement with Irish Water will be submitted once it has been possible to enter into this agreement.

Under Section 34(5)(a)(i-ii) and Section 34(5)(b) of the Planning and Development Act, 2000, as amended, we note that planning authorities have 8 weeks (or such longer period as may have been agreed in writing with the applicant) to agree planning compliance submissions on points of detail. Where the provisions of section 34(5)(a) do not occur within 8 weeks or such longer period that may have been agreed, then in accordance with section 34(5)(b), the authority shall be deemed to have agreed the points of detail as so submitted.

Thus, we trust that the Planning Authority will review the documentation submitted within the timeframes provided.

Please do not hesitate to contact us if you require any additional information or clarification in respect to the above.

Yours sincerely,



John Spain Associates

Enclosures

- DFK Cover Letter, Report and Drawings