

Comhairle Chontae Atha Cliath Theas

PR/0699/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0383 **Application Date:** 06-Oct-2022
Submission Type: Additional **Registration Date:** 25-May-2023
Information

Correspondence Name and Address: Gordon Brennan 33, Beaupark Square, Clongriffin, Dublin 13

Proposed Development: Retention of partial change of use from warehouse to office space to include Retention of additional first floor, second floor offices and meeting rooms also to include all associated site works to facilitate the development.

Location: M50 Business Park, Unit 1, Ballymount Ave, Ballymount, Dublin 12, D12 HP11

Applicant Name: Vision Signs & Glass Film Ltd

Application Type: Retention

(COS)

Description of Site and Surroundings

Site Area: stated as 0.539 Hectares on the application form.

Site Visit: 26th of October 2022.

Site Description

The subject site is a corner site on Ballymount Avenue within the Ballymount Industrial Estate. The site comprises of warehouse units and surface car parking to the north-east and south-east of the units. The site is accessed from Ballymount Avenue in the south-west of the site. The adjoining and surrounding sites are warehouse and industrial in nature.

Proposal

Permission is sought for the **retention** of partial change of use from warehouse to office space to include **retention** of additional first floor, second floor offices and meeting rooms also to include all associated site works to facilitate the development.

Zoning

The subject site is zoned Zoning Objective 'EE': *'To provide for enterprise and employment related uses'* under the 2022-2028 CDP.

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Consultations

| | |
|------------------------|--|
| Water Services | No objection subject to conditions. |
| Irish Water | No objections. |
| Roads Department | No objections. |
| Public Realm | No report received at the time of writing this report. |
| Planning Delivery Team | Additional information requested. |

SEA Sensitivity Screening – the subject site overlaps with the following layers:

- Aviation layers Outer Horizontal Surface for Dublin and Casement and Bird Hazards
- Road Proposal – 6 Year to the south-east of the site.

Submissions/Observations/Representations

No third party submissions received.

Relevant Planning History

Subject site

None.

Adjoining sites

SD18A/0047 Units A & B, M50 Business Park, Ballymount Avenue, Ballymount, Dublin 12.
Signage and all related works. **Permission granted.**

S00A/0098 M50 Business Park, Ballymount Avenue, Dublin 12.
Light industrial building extension to existing building and retention of relocated site perimeter fencing, additional yard area. **Permission granted.**

SD05A/0958 P.E.I. Ltd., M50 Business Park, Ballymount Road, Dublin 12.
Change of use of part ground floor from storage use to office use (202.8sq.m.), the provision of additional office space internally at first floor level (168.8sq.m.) and elevational changes to include a new window at first floor level plus screen and door at ground level to the east elevation. **Permission granted.**

SD04A/0163 M50 Business Park, Ballymount Road Upper, Ballymount, Dublin 12
Minor alterations to the front elevation. **Permission granted.**

SD03A/0022 M50 Business Park, Ballymount Road, Dublin 12
Single storey distribution warehouse (12 metres high) extension of 560sq.m with additional ramped goods vehicle dock and 11 no. new car parking spaces and ancillary site works.
Permission granted.

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Relevant Enforcement History

None identified in APAS.

Pre-Planning Consultation

None identified in APAS.

Relevant Policy in South Dublin County Council Development Plan 2022-2028

Policy CS2: City Edge Regeneration Lands

Deliver a development framework for the regeneration of the City Edge lands in conjunction with Dublin City Council which underpins the strategic aims of the National Planning Framework and Regional Spatial and Economic Strategy

CS2 Objective 1:

To prepare a Local Area Plan or other appropriate mechanism for the zoned Regeneration (REGEN) lands and other lands at Naas Road / Ballymount as defined by the City Edge Project boundary. The LAP or equivalent will commence in 2022 and provide a framework for the sequential and phased development of the lands, integrating sustainable transport, land use and blue and green infrastructure. The City Edge Strategic Framework will inform this Statutory Plan.

CS2 Objective 2:

To facilitate a co-ordinated approach and vision to any future sustainable development of the City Edge area in collaboration with Dublin City Council and all relevant stakeholders, including the local community and existing businesses having regard to their operational needs, and ensure that the needs of the existing and new community will be met, and the provision of necessary community and physical infrastructure is delivered in tandem with any new development.

Policy G11: Overarching

Policy G12: Biodiversity

Policy G13: Sustainable Water Management

Policy G14: Sustainable Drainage Systems

Policy G15: Climate Resilience

Policy QDP7: High Quality Design – Development General

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Policy QDP16: Framework Plans (FP)

QDP16 Objective 2:

To support the City Edge Strategic Framework and any future framework for the area in delivering urban growth and regeneration for the County and the wider Region, recognising its significant potential as the largest regeneration area in the country.

Policy SM2: Walking and Cycling

Policy SM7: Car Parking and EV Charging

Policy EDE1: Overarching

Policy EDE4: Urban Growth, Regeneration and Placemaking

EDE4 Objective 4:

To direct people intensive enterprise and employment uses such as major office developments (>1,000 sq.m gross floor area) into appropriately zoned lands subject to their location within approximately 500 metres of a high frequency urban bus service and / or within 1000 metres walking distance of high capacity transport stops (Train / Luas), and to demonstrate the required walking distance or provision of a permeability project, in accordance with the Permeability Best Practice Guide (2015), to achieve same.

EDE4 Objective 10:

To support the City Edge / City Edge Strategic Framework and any future framework for the area in delivering urban growth and regeneration for the County and the wider Region, recognising its significant potential as the largest regeneration area in the country.

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

12.3.1 Appropriate Assessment

12.3.3 Environmental Impact Assessment

12.4.2 Green Infrastructure and Development Management

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.5.3 Density and Building Heights

12.5.4 Public Realm: (At the Site Level)

12.7.1 Bicycle Parking / Storage Standards

12.7.4 Car Parking Standards

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12.9.2 Enterprise and Employment Areas

Table 12.27 Key Principles for Development within Enterprise and Employment Zones

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

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

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;
- Green Infrastructure;
- Infrastructure and Environmental Services;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The subject site is zoned Zoning Objective 'EE': '*To provide for enterprise and employment related uses*' under the 2022-2028 CDP. The proposed development is for retention of a partial change of use from warehouse to office space. Based on the submitted schedule of areas the existing subject warehouse unit is approx. 1,603sq.m in total size. The area to be retained is approx. 309sq.m (calculated from drawings at 310sq.m). The existing office area, including that for retention, is approx. 606.0sq.m in total over the three floor levels. This equates to 37.8% of the total floor area of the warehouse unit.

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The floor plans show what is labelled 'temporary removable containers' within the unit. These do not appear to have been included in the total office floorspace. The total of these spaces is approx. 63.4sq.m. This brings the total office floorspace to 669.4sq.m and 41.8% of the total warehouse unit. These containers are not indicated as the office floorspace for retention. However, the relevant permission for this space is not clear. **This should be addressed by way of additional information request.**

'Offices 100sq.m-1,000sq.m' are Open for Consideration under EE zoning. Policy EDE4 Objective 4 of the 2022-2028 CDP states to direct people intensive enterprise and employment uses such as major office developments (>1,000sq.m GFA) into appropriately zoned lands subject to their location to their accessibility in terms of public transport and permeability. While it acknowledged that the total office floorspace is under 1,000sq.m, 41.8% of the unit would comprise of office space.

Given the scale of the office area it is not apparent that this is ancillary to a warehouse use of the building. It is not clear what the overall use of the unit is and whether it is for warehousing purposes. The applicant should be requested to clarify what the use of the unit is. **This should be addressed by way of additional information request.**

The subject site falls within the City Edge Project lands referred to under Policy CS2: City Edge Regeneration Lands of the CDP. The Planning Delivery Team have reviewed the proposed development and request **additional information:**

City Edge Strategic Framework

Within the non-statutory City Edge Strategic Framework, the site is located in an area identified for urban industry. The use for retention would appear to correspond with 'urban workspace' as set out in the Strategic Framework (subject to clarification of the precise nature of the use).

Use

Very limited information is provided on the nature of the use and operation on the site. While the applicant is 'Vision signs and Glass Film Ltd.,' the building has signage on its elevations stating, 'Vision Creative Studios.' On the Vision Creative Studios website, the venture is described as a 'co-working hub' and 'creative studio and innovation hub' which has 'become a centre for diverse and innovative companies.' It further states 'The studio is an event centre, a design centre, a collaboration centre and a co-working space....'

If Further Information is being sought, the precise nature of the existing uses and the uses proposed for retention on the site should be clarified.

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*Urban industry and urban workspaces are identified as growth sectors within the City Edge Strategic Framework. Urban industry is described as follows: 'This sector is concerned with industrial processes that comprise such uses as light and heavy industry, manufacturing (including advanced manufacturing) and production,' while it is stated that 'Urban Industry Locations are proposed to accommodate lower density employment including industry, manufacturing (inc. advanced manufacturing), logistics, **smaller urban workspace and office buildings**' (bold added). Urban workspace is described as covering 'a wide variety of uses such as **shared / private office space** for business start-ups, lab space, maker space, incubator space, **creative space / facilities**, maker space for shared technical or workspace facilities for physical making or production of goods' (bold added).*

It would therefore appear that the uses proposed for retention (subject to clarification of the precise nature of the uses) would align with the urban industry and urban workspace uses envisaged in the City Edge Strategic Framework.

*The schedule of floor areas submitted states 'office/ mixed use for subject of retention application.' **This should be clarified as the term 'mixed-use' has a specific meaning in a planning context and it is unclear if the term is being used in a general or specific manner.** The planning application form states (inter alia) 'To include retention of additional first floor, second floor offices and meeting rooms.'*

Floorspace

A total of 310sqm on the first and second floors is proposed for retention of change of use from warehouse to office space. This is in the context of a building with a total floor area of 1,603sqm comprising:

- *a ground floor area of 779sqm (existing office/bathrooms, existing warehouse, existing canteen showroom and circulation area);*
- *a first floor area of 468sqm (existing office/bathrooms, existing showroom/storage, offices/mixed use the subject of this retention application, circulation);*
- *and a second floor area of 356sqm (existing showroom/storage, office/mixed use the subject of this retention application and circulation).*

When combined with the already existing office element of 296sqm, the additional 310sqm office proposed for retention would result in a total office element of 606sqm which is 38% of the total floor area of the building (1,603sqm).

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Public Transport and Parking

*It is noted that the site is in close proximity (approximately 225m) to the Calmount local high street (proposed in the City Edge Strategic Framework). It is also close to a BusConnects core bus corridor, which will be coming on stream within a short timeframe, in addition to a long-term proposal for light rail along this corridor. The nature of the use proposed for retention, which is more intensive than the original warehouse use, would appear to be appropriate in the context of its proximity to public transport (subject to the precise nature of the use being clarified). **In that context, the parking on the site, which is in excess of 60 spaces, should be queried.***

Green Infrastructure and Sustainable Surface Water Management

*It is noted that the current situation whereby the site is almost entirely comprised of hard surfaces, is not envisaged to change as part of the application. (Most visible greening around the site is provided by street trees and planting on adjoining sites). While acknowledging that this is an application for retention of change of use, consideration should be given, to request the applicant, by way of a request for Further Information, to submit **measures to address the issue of green infrastructure and sustainable surface water management**, having regard to Development Plan policies (including GI1 Objective 4 and GI4 Objective 1, which also reflect the vision for nature-based solutions and climate resilience set out in the City Edge Strategic Framework.*

Recommendations

It is considered that Further Information should be requested to clarify a number of matters:

- The applicant should be requested to clarify the precise nature of the existing uses and the uses proposed for retention on the site.*
- The amount of car parking which is in excess of 60 spaces should be queried in the context of the imminent BusConnects core bus corridor which will run in close proximity to the site.*
- While acknowledging that the application is for retention of change of use, consideration should be given to requesting the applicant to submit measures to address the issue of green infrastructure and sustainable surface water management, having regard to the amount of hard surface and lack of landscaping and greening on the site.*

The report from Planning Delivery is noted. **Additional information** should be sought in relation to these items. While the Planning Authority notes the query in relation to car parking, there are other units on the site that need to be taken into account. The use of the site should be clarified to confirm whether existing car parking levels are sufficient.

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Visual and Residential Amenity

External changes, including to the building footprint and elevations, have not been applied for as part of this application. It would appear that there would be/have not been any external changes as a result of the development. However, this should be confirmed by way of **additional information**. The proposed development does not adjoin lands associated with a residential dwelling.

Access and Parking

The Roads Department have reviewed the proposed development and state that they have no objections: *'The additional office space of 310m² would require a maximum of 6 no. additional car parking spaces (ref: Table 12.25 SDCC Development Plan 2022-2028). Following a site inspection, SDCC Roads Dept. is satisfied that there is adequate additional parking to serve the additional office space.'*

The report from the Roads Department is noted. However, clarity is required in relation to the use of the unit to confirm appropriate car parking levels. The applicant should also take into account the other units onsite. It is also noted that bicycle parking provision has not been addressed. This should be addressed by way of **additional information**.

Green Infrastructure

The subject site is located proximate to a Primary Green Infrastructure Corridor as identified on Figure 4.4: Green Infrastructure Strategy Map in the CDP. The Planning Delivery Team have requested additional information in relation to green infrastructure and sustainable water management. While this is noted, the proposed development for retention is for internal changes.

Infrastructure and Environmental Services

Water Services have reviewed the proposed development and have no objection subject to conditions including to include SUDS (Sustainable Urban Drainage Systems). The development for retention relates to internal alterations and would not alter the building footprint. It is therefore not considered this condition is necessary to attach in this instance.

Irish Water have reviewed the proposed development and have no objections.

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.

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Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves the retention of a partial change of use from warehouse to office.

Having regard to:

- the scale and nature of the development,
- the location of the development in a serviced area, and
- the consequent absence of a pathway to the European site,

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.

Conclusion

Additional information should be requested in relation to the precise nature of the existing use(s) and the use(s) proposed for retention. Car and bicycle parking and any external changes should be clarified.

Recommendation

Request Additional Information.

Additional Information

Additional Information was requested on the 30th of November 2022.

Additional Information was received on the 25th of May 2023 (not deemed significant).

Additional Information Consultations

Roads Department

No objection subject to conditions.

Assessment

Item 1 Requested

(a) The applicant is requested to provide additional information on the precise nature of the existing use(s) and the use(s) proposed for retention. Given the scale of the office floor area, approx. 41.8% of the total unit, it is not apparent that this is ancillary to a warehouse use of the building. It is not clear what the overall use of the unit is and whether it is for warehousing purposes. This will need to be clarified.

(b) Car and bicycle provision in the context of the proposed use(s) should be reviewed. The other units on the site should be taken into account. Bicycle parking provision for the subject unit should be identified.

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(c) The applicant is requested to clarify if any external changes are proposed.

Applicant's Response:

(a) The applicant has submitted a cover letter which provides the following description of the use *'a Design House which caters to and for commercial fitouts and also for commercial residential market e.g., kitchens/furniture/acoustic wall panelling, acoustic ceiling panelling, commercial print work of all sorts and types. lighting etc. Generally aimed at developers and large commercial businesses. The showrooms are not open to the public. An appointment is required to enter the premises.'*

They also state that *'The use of the unit is warehouse storage, showroom and with office being used for a range of mixed purposes revolving around interior design, predominantly for design and implementation of commercial fitout services for a range of different clients. The offices are described in the drawings previously provided with meetings rooms and low occupancy in the levels in terms of desk numbers.*

The showroom areas which can be described as storage areas also, are there to show product lines which are extensive, large in format – e.g., furniture/phone booth pods, varying acoustic panelling, and will inhabit the space for longer periods of up to and including years in the same area.'

The relation to the offices the applicant states in the cover letter that *'these offices house personal from a multiple differing companies who all work together to deliver product lines used in commercial fitout of carrying levels, varying from office furniture sold under the umbrella of Vision Signs & Glass (which is also known as Vision Branding).'*

(b) The applicant has submitted a site plan showing 32 no. car parking spaces and proposing 20 no. bicycle parking spaces for the unit.

(c) Elevations Section A-A Drg. No. 100-004 submitted showing the existing front elevation (southern) and a photo of this elevation.

Assessment:

(a) In summary the applicant describes the use as warehouse storage, showroom and associated office space for the design and implementation of commercial and residential fitout (interior design) services e.g., kitchens/furniture/acoustic wall panelling, acoustic ceiling panelling, commercial print work, lighting etc. The public are able to visit the site by appointment.

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The office floor space is described as ancillary to the warehouse storage/showroom use of the unit. Given the nature of the proposed office floorspace it is considered to be acceptable.

The uses proposed for retention appear to align with the urban industry and urban workspaces uses outlined in the City Edge Strategic Framework. Having regard to the nature and scale of the development it is not considered that it would be detrimental to the delivery of the City Edge plan in the medium to long term.

It is therefore considered that this item has been satisfactorily addressed.

(b) The applicant has submitted a site plan showing 32 no. car parking spaces and proposing 20 no. bicycle parking spaces for the unit. The Roads Department have reviewed the information submitted and state the following in their report:

With reference to Table 12.25 SDCC Development Plan 2022-2028, the subject unit should have the following parking rates;

Car Parking:

Warehouse/Storage: 592m² = 6no.

Office/Manufacturing: 1011m² = 20no.

Total Maximum Car Parking Rate: 26no. spaces

Bicycle Parking:

Warehouse: 592m² = 3no.

Office/Manufacturing: 1011m² = 5no.

Total Minimum Bicycle Parking Rate: 8no. spaces

The applicant has proposed 32no. car parking spaces and 30no. new bicycle parking spaces to serve the unit. Although the Maximum Car Parking Rate has been exceeded, SDCC Roads Dept. is satisfied as the additional parking spaces (6no.) would be available to serve customers visiting the showrooms within the unit which are open to the general public.

The applicant has not indicated any provision of EV charging points or mobility impaired parking spaces.

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No Roads objections subject to the following conditions:

- 1. EV charging shall be provided in all residential, mixed use and commercial developments and shall comprise a minimum of 20% of the total parking spaces provided.*
- 2. The applicant shall provide 5% of vehicular parking spaces for mobility impaired users.*
- 3. All bicycle parking spaces must be covered and shall be constructed in line with National Cycle Manual standards.*

The report from the Roads Department is noted and should be **conditioned**. Sufficient car parking is provided for the overall site having regard to the location and uses.

The proposed bicycle parking spaces in the south-east corner of the site should be amended so as not to impact existing planting and green infrastructure. This can be addressed by way of **condition**.

It is therefore considered that this item has been addressed subject to conditions.

(c) Based on the site visit and the information submitted it appears that there is signage on the site that has not been reflected on the submitted drawings. The signage is linked with the use of the subject unit. It is therefore considered that revised drawings should be submitted demonstrating that signage as part of the proposed development is in compliance with the South Dublin County Development Plan 2022-2028.

It is therefore considered that this item has been addressed subject to conditions.

Development Contributions

No proof of payment of a Development Contribution relating to the previous use has been received with the planning application, therefore a development contribution has been raised in relation to the proposed Change of Use. In the event contributions have been paid, proof of such can be furnished to the Planning Authority and **the condition regarding contributions may therefore not be applicable**.

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Retention of partial change of use from warehouse to office space 309sq.m

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| Planning Reference Number | SD22A/0383 |
| Summary of permission granted: | Retention of change of use warehouse to office |
| Are any exemptions applicable? | No |
| If yes, please specify: | |
| Is development commercial or residential? | Commercial |
| Standard rate applicable to development: | 112.57 |
| % reduction to rate, if applicable (0% if N/A) | 0 |
| Rate applicable | 112.57 |
| Area of Development (m2) | 309 |
| Amount of Floor area, if any, exempt (m2) | 0 |
| Total area to which development contribution applies (m2) | 309 |
| Vehicle display areas/ Open storage spaces | |
| Rate applicable | €11.26 |
| Contribution | €0.00 |
| Total development contribution due | €34,784.13 |

SEA monitoring

Building Use Type Proposed: Residential extensions

Floor Area: 309sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.539 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Development Plan 2022-2028, the established character of the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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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 Retention 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 retained and completed fully in accordance with plans, particulars and specifications lodged with the application, and as amended by Further Information received on the 25th of May 2023, within 6 months of the date of the final grant of permission, save as may be required by other conditions attached hereto.
REASON: To ensure that the development is in accordance with the permission and that effective control is maintained.
2. Roads & Parking
 - (a) Within 6 months of the date of the final grant of permission, the applicant/developer shall submit for the written agreement of the Planning Authority revised plans that incorporate the following:
 - (i) EV charging infrastructure shall be provided to a minimum of 20% of the total car parking spaces provided.
 - (ii) A minimum of 5% of the total car parking spaces provided shall be spaces for mobility impaired users.
 - (iii) All bicycle parking spaces must be covered and shall be constructed in line with National Cycle Manual standards. The proposed bicycle parking spaces in the south-east corner of the site shall be amended so as not to impact existing planting and green infrastructure.
 - (b) Following the written agreement of (a) above, the agreed plans shall be implemented onsite within 6 months of the date of written agreement of the Planning Authority.
REASON: In the interests of the proper planning and sustainable development of the area.

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3. Signage

Within 6 months of the date of the final grant of permission, the applicant/developer shall submit for the written agreement of the Planning Authority plans and elevational drawings of the signage for the unit. These shall demonstrate compliance with the South Dublin County Development Plan 2022-2028.

REASON: To ensure compliance with the South Dublin County Development Plan 2022-2028.

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).

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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 development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

6. Financial Contributions.

The developer shall pay to the Planning Authority a financial contribution of €34, 784.13 (Thirty-four thousand seven hundred eighty-four euros and thirteen 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 Act 2000 (as amended). This contribution is to be paid on receipt of Final Grant of Permission.

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.

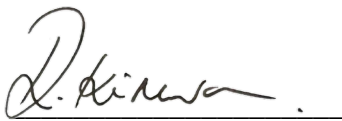
Comhairle Chontae Atha Cliath Theas

PR/0699/23

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0383

**LOCATION: M50 Business Park, Unit 1, Ballymount Ave, Ballymount, Dublin 12, D12
HP11**



**Deirdre Kirwan,
Senior Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for Retention 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: 21/06/23



**Gormla O'Corrain,
Senior Planner**