

Response to EPA
to be sent.

Ms. P. McDonnell
Office of Climate, Licensing and Resource Use
EPA



Dear Ms. McDonnell,

RE: Reg. No. P0301-03 Diageo Ireland – Plan No. 3730/11

Thank you for your notification by letter, dated 28th November 2012, of the application by Diageo Ireland for an Integrated Pollution Prevention and Control licence.

In response to your letter, our observations to licence application are summarised in the Planner's Report, dated 21st February 2012 which is attached for your information.

The Planning Authority has regulatory role for the demolition and construction of the Brewery while the licence will regulate the operation.

It is noted that the proposed production maximum capacity is higher than the planned capacity (8.3 million hecto-litres) of the new brewery and this planned capacity level is slightly higher than the figure of 8.2 million hector-litres submitted with the planning application (see section 6.2 of Planners Report).

Noise levels are addressed in the Planner's Report in section 6.2.vi where the proposed mitigation levels are considered essential to achieve a level which protects residential amenities and this requirement is reflected in conditions 19 and 21.

A summary of the planning assessment is detailed in section 12 of the report and addresses planning policies, scale height and massing, demolition and construction, amenities and movement. The requirement of other services, such as, drainage, water and roads, are addressed by the conditions of the grant of planning permission.

The notification of decision to grant planning permission was appealed to An Bord Pleanala by a third party (PL.29S.240326). The appeal, however, was withdrawn on 26th March 2012. The final decision to grant planning permission was made on 5th April 2012 which is attached for your information.

Yours Sincerely,

Etc.,

Rosemary B. Gibbons
SP 20/12/2012

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Planning Registry & Decisions, Planning Department
Civic Offices, Wood Quay, Dublin 8

Clárlann / Cinntí Pleanála
An Roinn Pleanála agus Forbartha, Clárlann / Cinntí
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8
Registry T: (01) 222 2149 / F: (01) 222 2675
Decision T: (01) 222 2288 / F: (01) 222 2271

RKD Architects
59 Northumberland Road, Ballsbridge, Dublin 4

THIS IS AN IMPORTANT LEGAL DOCUMENT AND SHOULD BE PLACED WITH YOUR TITLE DEEDS

Application No.	3730/11
Registration Date	16-Dec-2011
Decision Date	17-Feb-2012
Decision Order No	P0385
Date of Final Grant	05-Apr-2012
Grant Order No	P0731
Location	Guinness Brewery Lands To The North of James's Street. Bounded By Victoria Quay To The North & Watling Street To The East & Existing Brewery Areas To The South & West, Dublin 8
Proposal	<p>PROTECTED STRUCTURE: For development on part of the Guinness Brewery lands to the north of James's Street, Dublin 8 (The subject site contains two Protected Structures - granite piers and the Guinness Building on Victoria Quay known as Victoria Quay House). The subject site is bound by Victoria Quay to the north and Watling Street to the east, and existing brewery areas to the south and west. The proposed development comprises of the construction of a new brewhouse and a consolidation of existing brewery uses, including the relocation of existing Brewhouse functions from Guinness Brewery lands to the south of James's Street. The proposed development will have a combined overall floor area of approx 12,008sq.m. The development includes the demolition of six existing structures with a combined floor area of 3,124 approx sq.m. These buildings include a disused fire damaged Lager Plant (1389 sq.m) Mechanical Maintenance Workshop (610 sq.m), Electrical Maintenance Workshop (275 sq.m), Fork Lift Maintenance Workshop (180 sq.m) Staff Facilities Building (245 sq.m), and a disused Utilities Pumphouse (425 sq.m).</p>

The development comprises:

The provision of a new relocated upgraded Brewhouse Building will increase the annual output capacity of the brewery to 8.2 million hl (hectolitre) and with an overall floor area of approx 9,314 sq.m. The output capacity of the existing brewery is approx 5.0 million hl. This building will generally be of two stories with a height of approximately 14.1M (18.3M OD), with an associated grain intake facility and silo structure with a height of approximately 25.1M (29.3M OD) on the east face of the building, together with a flue stack with a height of approx 28.1M (32.34MOD), and a series of tank structures containing 23 tanks with a maximum height of approximately 25.8M (30.0MOD) on the west face of the building. The dimensions of the proposed building are approx. 113M x 90M.

An extension of approx 2,087 sq.m to the existing Fermentation and Beer

Processing Plant. This extension will be located on the western side of the existing Plant Building, and will continue the form of the existing building, with a single storey podium supporting a series of fermentation tank structures, with a maximum height of approx. 19.15M (24.6MOD).

The provision at the existing Central Utilities Area of a new incoming Water Treatment Plantroom, with a floor area of approx 280 sq.m, two associated external storage tanks, and associated plant. The Plantroom height will be approx 7.0M (13.26MOD) and the maximum tank height will be approx 9.0M (15.26M OD).

Increasing the capacity of the existing Waste Water Treatment plant by the addition of two new treatment tanks, with a maximum height of approx 8.1M (11.3 MOD), and associated plant. This will include the provision of a screening building enclosure on the Walting Street frontage, with a floor area of 327sq.m, and a height of roof ridge level of approximately 9.8M (13.0MOD).

There are no car parking spaces proposed as part of this development. A new internal one way road network will be provided within the site. Vehicular access to the proposed development will be via the existing brewery access on Victoria Quay. Two temporary construction vehicular access points are proposed at existing gateways on Victoria Quay.

It is proposed to upgrade the existing Victoria Quay boundary wall from its starting point adjacent to the corner with Walting Street as far as the existing vehicular access gateway to the brewery, to incorporate 32no. feature lights mounted on the existing piers. These works will include facade upgrading of the Guinness Building on Victoria Quay, and restoration works to the gateway piers, both of which are Protected Structures. The works include insertion of two new sets of non functioning gates into two number existing gateways. The proposed gates will include the harp symbol and the Guinness logo. Works to the wall will include provision of viewing slots through the wall towards the new Brewhouse at strategic locations. It is also proposed to insert 12 no. viewing slots approx. 450mm wide in the Victoria Quay boundary wall.

The Brewhouse grain intake tower structure will incorporate externally illuminated Guinness Harp logo signage at a high level on all sides. The north facade of the Brewhouse facing Victoria Quay includes a glazed gallery which will incorporate an internally illuminated Guinness logo sign. The south facade of the Brewhouse will include externally illuminated Guinness logo and harp symbol signage.

The proposed development includes all associated site development works, internal site lighting and landscaping. All of the above is proposed on a site of approx. 26,960 sq.m (2.7 hectares).

An Environmental Impact Statement (EIS) has been prepared in respect of this planning application. The application relates to development which is for the purposes of an activity requiring an Integrated Pollution Prevention Control (IPPC) Licence.

Applicant
Application Type

Diageo Ireland
Permission

NOTIFICATION OF GRANT OF PERMISSION

PERMISSION for the development described above has been granted under the Planning & Development Acts 2000 – 2011 subject to the following conditions.

Condition(s) and Reasons for Condition(s)

1) Insofar as the Planning & Development Act 2000 to 2011 and the Regulations made thereunder are concerned the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, as amended by the Further Information received on 14/2/2012. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2) The building line of the brew house building shall be agreed in writing with the Planning Authority prior to the commencement of development.

Reason: To enhance its visual amenity and engagement with the city.

3) The Waste Water Neutralisation Plant in the northern corner of the subject site shall be modified as follows:

(i) The screening building shall be extended to the full footprint of the two buildings to be demolished, and the new plant, including mechanical plant and pumps, shall be fully enclosed in the new building of sufficient construction to minimise ambient noise levels to surrounding area, especially no. 40 Watling Street;

(ii) The roof shall be hipped and the ridge level shall be reduced in height:

Prior to the commencement of development, details of the above modifications to the extended Waste Water Neutralisation Plant and details of the proposed materials shall be submitted to the Planning Authority for their written agreement.

Reason: In the interests of visual and residential amenities.

4) The materials and finishes shall be of high quality and, prior to the commencement of development details of the materials, finishes and development design detailing of the external envelope shall be submitted to the Planning Authority for written agreement.

Reason: To ensure proper execution of the design intent and, given the location adjacent to the River Liffey, in a key historical view and prospect corridor entering the City, in the interest of visual amenities of this significant location.

5) Within a period of four years from the date of grant of planning permission, the applicant shall submit to the Planning Authority for their written agreement:

(i) The strategy and detailed proposals for the theatre and the upgrading and opening up of the swimming pool and gym, and,

(ii) The feasibility study for the creation of a new urban quarter for the south lands with new public spaces and permeability including planning proposals for the layout, proposed uses, a phasing plan for redevelopment of the area and conservation and reuse of the historic/protected buildings.

Reason: In accordance with the objectives of the Liberties Local Area Plan and in the interests of the proper planning and sustainable development of the area.

6) a) The developer to comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (see www.dublincity.ie Forms and Downloads) and subject to the following conditions:

b). Due to the increased load and volume to be discharged to the Victoria Quay Sewer, a full condition survey of the integrity and layout of this connection shall be carried out and any required upgrading work must be carried out at the developers' expense. Written approval for the use of this connection must be agreed with Drainage before additional flows are discharged to it.

Reason: In the interest of public health and orderly development.

7) The following conditions of the Water Services Division to be complied with:

a) It is the responsibility of the Applicant to install, at his/her expense, a suitable watermain from Thomas Street to the point of use. The design of the proposed watermain shall be approved in advance by the Water Services Division and shall be laid in accordance with Dublin City Council's Code of Practice for the Laying of Distribution Watermains.

b) All installations, fittings and materials must be in accordance with appropriate standards and approved in advance by the Water Services Division to ensure their compatibility with Dublin's water supply system and to protect public health. In addition, full details of all internal installations (including pumps and break pressure tanks) must be provided in advance to the Water Services Division so as to ensure that they are in accordance with the requirements and standards of the Dublin City Council Waterworks Regulations 1975, Bye-Laws for the Management of Water Services and the Conservation of Drinking Water 2003 (both available on www.dublincity.ie) and other appropriate standards.

c) Connections to existing Dublin City Council water mains will be carried out by the City Council at the expense of the Applicant.

d) Incoming direct feed pipes shall only feed storage tanks or drinking water points. All appliances and fittings, including central heating units, shall only be fed from internal storage tanks.

e) The rate of draw off per hour through a service pipe shall be controlled so as not to exceed at any time one twelfth of the maximum daily requirement.

f) Storage equivalent to 24 hours usage (or as specified in the Dublin City Council Waterworks Regulations 1975 – whichever is the greater) shall be provided in all developments. The Applicant shall demonstrate its compliance with this requirement before construction commences on site.

g) Any proposals for the use of rainwater, grey water, brown water or a well supply on the site shall be submitted to the Water Services Division for consideration and approval before construction commences on site. In the interests of public health and good practice, the Applicant shall comply with the requirements of the Water Services Division in this regard.

h) Covers and frames in footpaths and similar areas shall be Class B standard.

i) The Water Services Division should be notified at least one week before it is proposed to commence work on site.

j) A booster pump(s) shall be installed in each unit of the proposed development which is greater than two storeys in height and full details of the proposed installation shall be submitted to the Water Services Division for written approval before construction commences on site. All booster pumps in excess of 10 litres/min capacity must be fed from a break cistern. The effective capacity of a break water cistern should be decided after consideration of the total water storage requirements and its location within the building but should not be less than 15 minutes pump output.

k) The connection into the site will require the provision of electricity and telecom supplies. It is the responsibility of the Applicant to make application for these supplies at the earliest possible stage so that it is possible to connect the meter directly to the Dublin City Council telemetry system.

l) The proposed development requires the submission to the Water Services Division of an approved Water Management and Conservation plan before construction commences on site. This plan will include details of the Applicant's proposals in relation to water mains and all internal plumbing and fittings. It shall also outline how water wastage, leaks or excessive consumption may be prevented or identified and remedied. All such works to be at the expense of the Applicant.

Reason: In the interest of public health and orderly development.

8) The following conditions of the City Archaeologist to be complied with:

A). No construction or site preparation work may be carried out on the site until all archaeological requirements of the City Archaeologist are complied with.

B). The project shall have an archaeological assessment (and impact assessment) of the proposed development, including all temporary and enabling works, geotechnical investigations, e.g. boreholes, engineering test pits, etc., carried out for this site as soon as possible and before any site clearance/construction work commences. The assessment shall be prepared by a suitably qualified archaeologist and shall address the following issues.

i. The archaeological and historical background of the site, to include industrial heritage.

ii. A paper record (written, drawn, and photographic, as appropriate) of any historic buildings and boundary treatments, etc.

iii. The nature, extent and location of archaeological material on site (archaeological test trenches

iv. The impact of the proposed development on such archaeological material.

C). The archaeologist shall forward their Method Statement in advance of commencement to the City Archaeologist

D). Where archaeological material is shown to be present, a detailed Impact Statement shall be prepared by the archaeologist which will include specific information on the location, form, size and level (corrected to Ordnance Datum) of all foundation structures, ground beams, floor slabs, trenches for services, drains etc.

E). The assessment shall be prepared on the basis of a comprehensive desktop study and, where appropriate/feasible, trial trenches excavated on the site by the archaeologist and/or remote sensing. The trial trenches shall be excavated to the top of the archaeological deposits only. The report containing the assessment shall include adequate ground-plan and cross-sectional drawings of the site, and of the proposed development, with the location and levels (corrected to Ordnance Datum) of all trial trenches and/or bore holes clearly indicated. A comprehensive mitigation strategy shall be prepared by the consultant archaeologist and included in the archaeological assessment report.

F). No subsurface work shall be undertaken in the absence of the archaeologist without his/her express consent. The archaeologist retained by the project to carry out the assessment shall consult with the City Archaeologist in advance regarding the procedure to be adopted in the assessment.

G). A written and digital report containing the results of the archaeological assessment shall be forwarded on completion to the City Archaeologist. The City Archaeologist (in consultation with The National Monuments Service, Department Arts Heritage and Gaeltacht, shall determine the further archaeological resolution of the site.

H). The developer shall comply in full with any further archaeological mitigation requirement, including if necessary archaeological excavation and/or the preservation in situ of archaeological remains, which may negate the facilitation of all, or part of any basement. Before any site works commence the developer shall agree the foundation layout with the City Archaeologist.

I). Following submission of the final report to the City Archaeologist, where archaeological material is shown to be present the archaeological paper archive shall be compiled in accordance with the procedures detailed in the Dublin City Archaeological Archive Guidelines (2008 Dublin City Council), and lodged with the Dublin City Library and Archive, 138-144 Pearse Street, Dublin 2.

Reason: In the interest of preserving or preserving by record, archaeological material likely to be destroyed or damaged in the course of development.

9) The development shall comply with the following conditions of the Conservation Section:

(i) The overall industrial archaeological significance of the site, its buildings and industrial functions shall be adequately recorded and appraised based on the recording standards as produced by The Heritage Council of Ireland and a copy provided to the Local Authority, the Irish Architectural Archive and to the Guinness archive for preservation by record.

(ii) A conservation plan to incorporate the future use for the Victoria gate lodge (in its entirety) as an integral part of the brewery boundary wall providing a prominent and interactive use onto Victoria Quay.

(iii) A conservation plan shall be prepared, including preventative maintenance proposals which sustain the life and vibrancy of the protected buildings onto James's Street based on the re-use of the extant historic structures. Prior to the operation of the development this plan shall be submitted to the Planning Authority for written agreement.

Reason: In the interests of historic recording, research, the conservation of protected structures and the proper planning and sustainable development of the area.

10) The development shall comply with the following conditions of the Roads and Traffic Planning Division:

a) Prior to operation of the development, the applicant shall submit for the written agreement of the Planning Authority detailed proposals for public realm improvements in the vicinity of the site. Proposals shall address in particular the north western corner of the northern lands included within the blue line of the submitted application in proximity to Heuston Station and the footpath along Victoria Quay adjacent to the northern boundary of the site. The proposals shall show how an improved public realm shall be delivered as part of the development to include a new plaza at the north west corner, widened footpaths, enhance landscaping and improved pedestrian linkage between the site, Heuston station and the city centre. The masterplan for the north lands shall be revised to reflect these proposals and shall also be submitted to the Planning Authority for written agreement.

b) Prior to operation of the development the applicant shall submit a delivery management plan which aims

to reduce conflict with peak hour traffic for the written agreement of Roads & Traffic Planning Division, Dublin City Council.

c) Prior to operation of the development the applicant shall submit a Mobility Management Plan for the overall Guinness lands at Dublin 8. This shall provide information regarding staff numbers and distribution throughout the site, a description of existing and proposed facilities, car and cycle parking information staff survey to establish current modal split and future targets and measures to promote sustainable travel. A Mobility Manager shall be appointed with responsibility for the overall implementation of the plan and shall liaise at regular intervals with the Mobility Management Section of Roads & Traffic Planning Division.

d) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

e). All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of development, shall be at the expense of the developer. Work in the public road may only be carried out by Dublin City Council.

Reason: In the interest of visual amenity and enhancement of the public realm, orderly development and traffic safety.

11) The design of the existing access to the brewery on Victoria Quay, with the approved improvements under Plan No. 2655/11, shall provide a safe and more amenable environment for pedestrians and cyclists passing this point and in phase 2 of the development the applicant shall examine the feasibility of alternative /additional points of access in other locations, particularly at St John's Road and Steevens's Lane, which might enable the future use of rail for the movement of goods.

Reason: In the interests of promoting modal shift to more sustainable transport.

12) The detailed design of the development foundations shall take full account of the predicted ground settlement induced by DART Underground, as detailed in the Railway Order Application and liaise with Iarnród Éireann during detailed design and construction phase to ensure the continued safeguard of DART Underground.

Reason: To protect the route of the proposed DART Underground as approved in the Railway Order.

13) All buildings on the south site in the ownership of the applicant, which will be vacated as a result of the development, shall be subject to a schedule of works to ensure their maintenance and security from weathering and vandalism pending their agreed reuse; Prior to vacating the building, details of the schedule of works shall be submitted to the Planning Authority for written agreement.

Reason: In the interest of conservation.

14) (a) The site and building works required to implement the development shall only be carried out between the hours of:

Mondays to Fridays - 7.00am to 6.00pm

Saturday - 8.00 a.m. to 2.00pm

Sundays and Public Holidays - No activity on site.

(b) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions

pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

15) The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

16) The development shall comply with the following conditions during the demolition and construction stages: -

(i) During the demolition and construction phase the proposed development shall comply with British Standard 5228; 2009 – Code of Practice for noise and vibration control on construction and open sites, Part 1: Noise and Part 2; Vibration. In addition, the mitigation measures for demolition and construction works as detailed in volume 2 of the EIS shall be followed.

(ii) During the demolition and construction 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 (including those being transported from the site) and slack-heaps, netting of scaffolding, watering of rubble chutes, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisance.

(iii) The watering down of the area should be carried out where necessary to minimise dust transfer into neighbouring premises.

(iv) Stockpiles of earth shall be damped down or otherwise suitably treated to prevent the emission of dust from the site. The stockpiles should be planned and sited to minimise the potential for dust nuisance. Prior to the commencement of development, a demolition and construction method statement and plan addressing the issues of noise, dust, vibration (such as from pile driving), odour, construction traffic, management, and their mitigation shall be submitted to the Planning Authority for their written agreement.

Reason: In the interest of minimising adverse impacts during the demolition and construction phases of development in the interests of amenities and the proper planning and development of the area.

17) The development shall comply with the following conditions for Waste Management: -

(i) Prior to the construction phase, the quantity of C&D waste shall be determined in order to ensure that the required regulatory permit (issued by Dublin City Council) or licence (issued by the EPA) is in place prior to the commencement of the development.

(ii) During the Construction phase, Waste Management Services requests the provision of monthly statistics regarding waste arising, verification of quantities recycled and disposed and the location of disposal facilities. A construction Liaison contact should be identified by the developer and the information forwarded electronically to Waste Management Services on a monthly basis in order to ensure compliance with legislation.

(iii) Dublin City Council is required to ensure that obligations and targets set out in the EU Landfill Directive 1999/31/EC are complied with. In accordance with targets adopted for the Dublin Region as set out in the Waste Management Plan for the Dublin Region 2005-2010 (and currently under review), the proposed

development should comply with the following targets during both the construction and operational phases:

Source Recycling	Target
Commercial/Industry/Research	41%
Construction/Demolition	82%

Reason: In the interests of the protection of the environment having regard Circular WPR 07/06 – Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition – published by the DoEHLG, 2006 and Dublin City Waste Management Guidelines.

18) The number of viewing slots inserted into the boundary wall along Victoria Quay shall be increased with closer spacing between each one; prior to the commencement of development, details of this condition shall be submitted to the Planning Authority for written agreement.

Reason: To enhance the amenities of Victoria Quay by increasing daylight penetration and interaction with the development.

19) As described in section 11.7.2 to 11.9. of volume 2 of the Environmental Impact Statement, the proposed 2.5 high rooftop screen for the AHUs and evaporative condensers on top of the VQ Plant building and incorporating many of the Air Handling Units within the building enclosure shall be incorporated into the facility design; details of the above shall be submitted to the Planning Authority for written agreement prior to the commencement of development.

Reason: In the interests of amenities and the proper planning and sustainable development of the area.

20) Full details of the size, type and materials of all signage including specification and computer graphic images taken from the Wellington Monument, Frank Sherwin Bridge, the National Museum (Collins Barracks), and James Street to be submitted for the written agreement of the Planning Authority prior to the commencement of the operation of the new brewhouse.

Reason: In the interest of visual amenity.

21) The Fork Lift Trucks which it is intended to operate 24 hours per day in the Camac yard shall be fitted with non pulsating soundless reverse moving indicators.

Reason: In the interests of the residential amenities of the area.

22. Before this development commences, a financial contribution in the sum of Euro 1,128,268.00 shall be paid by the Applicant to Dublin City Council under Section 48 of the Planning & Development Act 2000 - 2011.

This contribution shall be payable at the Wholesale Price Index adjusted rate pertaining to the year in which implementation of this planning permission is commenced, as provided for in the Development Contribution Scheme.

Reason: Investment by Dublin City Council in Local Authority works has facilitated and will facilitate the proposed development. It is considered appropriate and reasonable that the developer should contribute to the cost of same.

23. Before this development commences, a financial contribution in the sum of 0.00 Euro shall be paid by the applicant to Dublin City Council under Section 48 (2)(c) of the Planning & Development Act 2000 - 2011. This contribution is in addition to the contribution required in accordance with the Development

Contribution Scheme made under Section 48 of the Planning & Development Act 2000 -2011.

Reason: Payment of a special contribution is required in respect of this development as specific exceptional costs not covered in the Development Contribution Scheme will be incurred by Dublin City Council in respect of public infrastructure and facilities which will benefit this development, which is located in the Heuston Framework Plan Area.

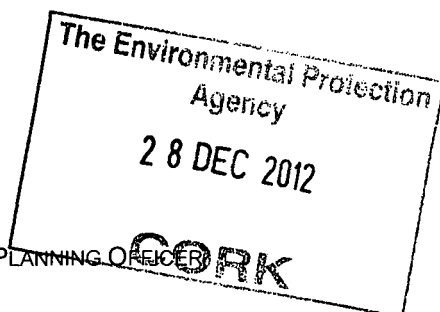
Signed on behalf of the Dublin City Council

Brendan Johnston
for Assistant City Manager

Date

N.B. IT SHOULD BE CLEARLY UNDERSTOOD THAT THE GRANTING OF PLANNING PERMISSION DOES NOT RELIEVE THE DEVELOPER OF THE RESPONSIBILITY OF COMPLYING WITH ANY REQUIREMENTS UNDER OTHER CODES OF LEGISLATION AFFECTING THE PROPOSAL AND THAT A PERSON SHALL NOT BE ENTITLED SOLELY BY REASON OF A PLANNING PERMISSION TO CARRY OUT ANY DEVELOPMENT.

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PLANNING & DEVELOPMENT DEPARTMENT
Date: 21-Feb-2012

DEPUTY PLANNING OFFICER

APPLICATION NO.
PROPOSAL

3730/11

PROTECTED STRUCTURE: For development on part of the Guinness Brewery lands to the north of James's Street, Dublin 8 (The subject site contains two Protected Structures - granite piers and the Guinness Building on Victoria Quay known as Victoria Quay House). The subject site is bound by Victoria Quay to the north and Walting Street to the east, and existing brewery areas to the south and west. The proposed development comprises of the construction of a new brewhouse and a consolidation of existing brewery uses, including the relocation of existing Brewhouse functions from Guinness Brewery lands to the south of James's Street. The proposed development will have a combined overall floor area of approx 12,008sq.m. The development includes the demolition of six existing structures with a combined floor area of 3,124 approx sq.m. These buildings include a disused fire damaged Lager Plant (1389 sq.m) Mechanical Maintenance Workshop (610 sq.m), Electrical Maintenance Workshop (275 sq.m), Fork Lift Maintenance Workshop (180 sq.m) Staff Facilities Building (245 sq.m), and a disused Utilities Pumphouse (425 sq.m).

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REP1letter

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LOCATION	Guinness Brewery Lands To The North of James's Street. Bounded By Victoria Quay To The North & Walting Street To The East & Existing Brewery Areas To The South & West, Dublin 8
APPLICANT	Diageo Ireland
DATE LODGED	16-Dec-2011
ZONING	Zone 5 - DEV PLAN 2011-2017, Zone 3 - DEV PLAN 2011-2017, Zone 7 - DEV PLAN 2011-2017
APPLICATION TYPE	Permission
RG/COH	

REP1letter

17/02/2012

1. Date of Site visit: 2/02/2012.

1. Site Notice: In order. 26/01/2012

2. Pre-Planning meeting . A meeting took place on 17th November 2011.

3. Planning and Zoning

The main objective in the City Development Plan 2011-2017 is given in chapter 16 under Strategic Development Regeneration Area 7 - Heuston & Environs where it states in guiding principle 10 " To support Guinness Brewery in their continued development to safeguard employment, industry and tourism in the south west inner city."

There are two existing zonings on the subject lands as follows :

Z5 "To consolidate and facilitate the development of the central area, and to identify , reinforce and strengthen and protect its civic design character and dignity '(The New Brewhouse and Keg Plant ,Water Treatment facilities and The Export Warehouse and ancillary facilities are located in this zone), and,

Z7 'To provide for the protection and creation of industrial uses and facilitate opportunities for employment creation'.(The Fermentation and Beer Processing Plant, Central Utilities are located in this zone).

The site is located within a Conservation Area (along the Victoria Quay frontage) and the street frontage at James's street.

There are two protected structures within the application lands :

- 'Victoria Quay House'.
- 'Granite piers'.

The statutory Local Area Plan (LAP) is the Liberties LAP, 2009, which recognises the importance that Guinness has had to the area over the years and its ongoing importance as an employer and economic (industry and tourism) driver. As outlined in the Masterplan: "Their decision to consolidate brewing on the northern side of their land bank at James's Street presents Diageo, the Liberties and the City with exciting opportunities for new city development. It is acknowledged that the physical restructuring of a large tract of land while seeking to retain existing brewing operations, is a complex task and may take some time to work through to the finer detail. A comprehensive masterplan is to be prepared as a pre-requisite to any planning application for the Guinness North lands. The masterplan shall address and demonstrate how the proposed development can meet the strategic objectives of the Draft Liberties Local Area Plan and specific Key Site Objectives.

Some of the key site objectives are to: - re-integrate the former industrial land into the city fabric and creating new connections through what are currently large and impenetrable urban blocks; - provide a new swimming pool minimum length 25m within the Guinness lands accessible to all Liberties residents; - facilitate the enhancement of existing performance and entertainment venues including the Rupert Guinness Theatre; - facilitate the substantial pedestrianisation of Victoria Quay by re-routing west bound traffic from Victoria Quay, create a high quality public realm as set out in the public realm strategy particularly along Victoria Quay, having regard to the setting of the River Liffey, the Croppies Memorial Park and Collins Barracks, provide for generous pedestrian areas and a broad well-planted riverside promenade and create a very high quality civic space in Heuston Square."

Currently, Variation number 1 of the City Development Plan 2011-2017 is on public display

until the 2nd March 2012 and is due to be considered by the City Council at their meeting in April. In the variation, the Guinness lands along Victoria Quay, the subject of this planning application, are proposed to be rezoned from Zoning Objective Z5 to Zoning Objective Z7 – To provide for the protection and creation of industrial uses, and facilitate opportunities for employment creation.

Also, it is proposed to amend the Liberties Local Area Plan as follows:

1. The zoning map at page 22 of the LAP be amended and updated to make it consistent with the Dublin City Development Plan 2011 – 2017, that is, the proposed rezoning of lands from Z5 to Z7.

2. The submitted Masterplan be integrated into the LAP, by the introduction of additional wording as follows, (after 1st paragraph, page 185)

"The Masterplan for the North Lands, dated 29th November 2011, was submitted to the South Central Area Committee for its consideration, and was noted that the Masterplan meets strategic objectives of the Liberties Local Area Plan whilst also providing for the achievement of community, public realm, urban design and conservation objectives in the Local Area Plan."

4. Location

The site is the Guinness Brewery Lands located to the north of James's Street, bounded by Victoria Quay to the north, Watling Street to the east and existing Brewery Areas to the south, & west. The area of the site is 2.7 hectares (6.7 acres approx).Diageo's overall land holding to the north of James's Street is approx 13.3 hectares (32.9 acres). The existing access is via 'gate 6' on Victoria Quay. The typology of the north lands is sloping from a ridge level on James Street down through the site to Victoria Quay and the River Liffey.

6.1 Proposed Development

Following an in-depth review by Diageo of the future needs of the brewery it was decided to consolidate brewing operations over time on the lands to the north of James's Street rather than relocation away from Dublin City.

The brewery development is proposed to be entirely on brownfield land, replacing mostly undeveloped but paved land and unoccupied buildings. Raw materials storage and roasting are to be retained on the South Site with additional raw material provided adjacent to the proposed brewhouse. Other areas retained are existing activities on the North Site, including fermentation, maturation and clarification facilities, kegging, the tank station, CO2 collection and recycling, water treatment and other supporting utilities. The redundant brewhouse facilities will be decommissioned on completion of the new brewhouse.

A second and later phase of development will involve the construction of major new export warehouse and ancillary facilities.

The proposed development will provide new brewing facilities to the north of James's Street, Dublin 8. The proposal involves the following:

a) Demolition: Six existing buildings are to be demolished. (Floor area =3,124 sq m.).

- A Lager Plant and adjoining bunded tank area.
- An existing utilities building (pump house) and associated tanks.
- A mechanics maintenance workshop and adjoining store.
- An electrician's workshop building.
- Fork Lift Truck Maintenance workshop.

- A staff toilet/ break facilities building.
- a) Construction : The proposed development will have a combined floor area of 12,008 sq m. The following will be constructed :

- A new relocated and upgraded brewhouse building which will include a grain intake facility and its associated silo , production offices, staff amenity ,laboratory and support/ delivery areas.(9314 sq m in floor area).

The building takes the form of a main two storey block which houses the brewing tanks and vessels .This element of the building has a hight of about 14m to parapet level. (finishes : White Stone cladding to the upper level with reconstituted stone or stone cladding to the lower elements).

On the east side of the main block a raw materials handling area is proposed – a grain handling area served by a grain silo which extends to about 25 m in height (plus flue stack which rises a further 3 m.)(Matt finished dark grey metal cladding panels are proposed on the grain tower element).

On the west side there are a series of 23 large silver tank structures the highest being a series of four spent Grain Tanks which rise to over 25 m.

The dimensions of the proposed building are 113 metres by 90 metres, that is, just over a hectare (3.4711 acres) in land cover.

- An extension to the existing fermentation and beer processing plant to the southwest of the new brewhouse building.(the extension extends to just over 2,000 sq m in a single footprint located on the western side of the existing building.(max height of 19.15 m (24 .6 m OD).Finishes Brick work as existing plus silver finished vessels)
- An extension to the Waste Water Neutralisation Plant (2 new treatment tanks and associated plant).
- The upgrading of the Victoria Quay boundary wall , including the restoration of the façade of the Guinness Building know as 'Victoria Quay House' (protected structure)and the gateway piers (protected structure).The provision of lighting along Victoria Quay and internal site lighting is also proposed.
- Signage on the Brewhouse grain intake tower structure and the Brewhouse (north and south facades) and the new gates on Victoria Quay.
- An internal road network is to be provided to facilitate a single flow traffic route with access from the existing access at gate 6. During construction, two construction traffic access points, one for access and the other for egress, are to be provided on Victoria Quay. The in access is located close to the junction with Watling Street and Victoria Quay. The TIA indicates that the construction period is likely to take 17 months and that between 150 to 250 trips are likely to be generated daily during construction. It is anticipated that these trips will be spread evenly throughout the day.

6.2 Scale of the Development

The submitted EIS describes the scale of the development and main impacts in the area. The proposed development would increase the capacity of brewing by 70% (+320 million litres / +70.4 million gallons). From the current output of some 500 million litres to 820 million litres, that is, from 110 million gallons to 180.4 million gallons.

Forecasted Changes in Inputs and Outputs to/from St. James's Gate

	Current	Proposed	Difference
INPUT			
Water consumption	2.12 million m ³	3.06 million m ³	+ 0.94 million m ³ +44.4%
Malt / Barley / Roast Grains	90,000 tonnes	133,000 tonnes	+ 43,000 tonnes
Bulk beer imports (for kegging, etc.)	800,000 Hl	None	– 800,000 hL
OUTPUT			
Beer exports	6.3 million hL	7.4 million hL	+ 1.1 million hL (+ 24 million gallons)
Brewers grain (by- product)	90,000 tonnes	133,000 tonnes	+ 43,000 tonnes
Effluent (water discharged to sewer and Ringsend WWTP)	1.12 million m ³	2.12 million m ³	+ 1.0 million m ³ +89.3%

The proposal is to increase the capacity and consolidate all brewing operation in Dublin. All beers brewed by Diageo will be brewed at St. James Gate.

The brewery would operate 24 hours a day, 365 days a year.

The proposal represents an investment of 153 million euro by Diageo. A total of 300 construction jobs will be created. The proposal will take 2 years to construct and it is hoped to commence construction in the second half of this year. Access for construction traffic will be facilitated via the opening of a currently disused entrance off Victoria Quay.

The EIS addresses the current application only and not the development set out in the Masterplan which will be the subject of future planning applications. Some of the key findings are:-

i. Socio-economic

The proposed development will retain current employment levels in the operation of the brewery. During the construction stage of 17 months, however, there will be additional employment, peaking at 'several hundred persons' which will be a positive benefit to immediate and secondary areas. The amenity of the area will be negatively impacted by construction. Impacts on human health through water, air, noise, and waste are considered to 'zero harm'.

ii. Flora and Fauna

River Liffey is designated under the water framework directive but categorised as heavily modified water. The River Liffey is likely to contain commuting or feeding populations of Otter. The site is considered low value to bats due to high lighting levels and the absence of semi-natural vegetation. The site offers no potential to support fish species, although the adjacent River Liffey fisheries are valued at National Importance (Salmon and Lamprey). There is evidence of breeding sites and the development site is considered to be of County Importance for bird species due to the presence of breeding gull colonies, and nearby Kingfisher populations. Taking all factors into account, the site is considered to be of local (low) value but has several high level features within it and connectivity to higher level sites downstream. The River Liffey is of national importance, for Otter, Fisheries, and Kingfisher and the proposed site will discharge surface waters to the River; therefore there are impacts on the water quality of the river. River Liffey is a nutrient sensitive area and therefore a sensitive ecological receptor.

iii. Drainage

Serviced water will be taken from the DCC mains at Bellevue and stored at the service water reservoirs under Hop Stores 12 and 13 Roast House.

There are three types of discharges, surface water, processed effluent and foul water. The main change is to the surface water drainage which currently discharges to the combined sewer and then to the waste water treatment plant in Ringsend. In the proposal, the surface water will discharge by gravity to an underground pip system via silt/petrol/ oil separation to a combined attenuation/firewater retention system. The outflow will be pumped at controlled rates to the surface water sewer (600mm diameter) on Watling Street which discharges to the River Liffey. There will be a non return valve. Water quality monitoring facility to be included in surface water outfall which will trigger an alarm in the case of an event and the system will close.

The processed effluent which is often caustic is fed to the on site Waste Water Neutralisation Plant where the pH is restored and any solids are removed, then discharged to DCC foul sewer and then to the waste water treatment plant in Ringsend. The BOD concentration levels have increased with a reduced consumption of water in the processes.

iv. Air Quality

The primary fuel is natural gas which emits mainly carbon dioxide, water vapour and small quantities of nitrogen oxides. Dust would be the main by product from construction. The EIS concludes that the air quality in the vicinity is acceptable relative to EU standards, except close to some roadsides. The impact of the fixed plant emissions from the operation on air quality is likely to have no significant effect. Dust may cause nuisance during the demolition and construction phase, but this can be completely mitigated by good construction practice and, in any event is temporary.

v. Odours

A number of brewery processes vents odour emissions. The assessment in the EIS notes that the elevated stack heights incorporated into the brewery design will result in significant odour dispersion and dilution and the odour model shows no offsite receptors are exposed to odour concentrations above the guidance threshold.

vi. Noise and Vibration

Noise sources from the development are the outdoor water pumps, rooftop air handling units (AHUs), Rooftop evaporative Condensers, raw material Tower aspiration, additional forklift trucks (FLT) operating in Camac yard, and increased number of HGV movements. The fixed noise sources will be operational throughout a 24 hour period. While FLT movements will operate at night, HGV movements will be restricted to 16 hours per day (06.00 to 22.00). Construction activity would be confined to daytime periods. There are impacts from construction to the Maltings apartments but they are intermittent and of short duration.

For the 24 hour operation of the fixed plant, the AHU, roof top evaporative condensers and water pumps produce noise levels of 98dB(A). The mitigation measures proposed in the EIS for the AHU and roof top evaporative condensers is to incorporate a 2.5 high rooftop screen for the evaporative condensers on top of the VQ Plant building and incorporating many of the Air Handling Units within the building enclosure. With mitigation, the daytime noise levels are within required limits and the daytime noise operational noise impact would be within the 'slight adverse' category for all receptors. In terms of movement, Forklift trucks would be fitted with non pulsing forklift reversing sounders.

With the key mitigations measure of the rooftop reflective barrier applied to the roof top AHUs and evaporative condensers by incorporating it into the design of the VQ Plant and other equipment located indoors, the noise impact has been reduced significantly. The noise impact, however, remains marginally above the 45 +2 Db target at St. James Gate apartments, Saint Patrick's University Hospital, the north block of Emmet Building apartments and the west façade of the Maltings apartments. The highest predicted noise level is at the St. James Gate apartments which are closest to the forklift truck activities in the north-west corner. When combined with existing night-time ambient noise levels, the night-time operational noise impact would be within the 'slight adverse' category for most receptors.

7. Masterplan.

The planning application is accompanied by a Masterplan 'Masterplan- Diago North Lands James's Street, Dublin 8'. This was prepared as a pre-requisite to this planning application as stipulated in the Liberties Local Area Plan. The Masterplan was submitted to Dublin City

Council on 29th November 2011.

The masterplan sets out Diageo's strategy for asset replacement and its assessment for future brewing requirements to support its brewing activities in Dublin City.

The Masterplan contains the following key features:

- a) The relocation of the existing brew houses on the south lands to create a new and upgraded brewing plant, extension to the fermentation and beer pressing plant, utilities plant, and water treatment plant on the northern site, (**current planning application**).
 - a) A second, yet integrated, phase which will involve the construction of a major new export warehouse etc. towards the western side of the north site near the Steevens Lane/ Victoria Quay frontages.
 - b) The erection of a high quality civic space at the corner of Victoria Quay and Heuston Station, to allow full views of the station façade from the quays.
 - c) A range of public realm improvements including the upgrading of Steevens Lane and the retention of the granite piers and Guinness building on the quay, both of which are Protected Structures.
 - d) To retain and actively explore the reuse a number of social, cultural and recreational uses in the North site, including, the Rupert Guinness Theatre, swimming pool/ gym, medical facility and an educational faculty/ residential in the protected structures on the James's Street frontage.
 - e) In addition the Masterplan proposes to enhance the setting of St. James's Graveyard in association with DCC.
8. The submitted Appropriate Assessment Screening Report prepared by Scott Cawley Ltd., on behalf of the applicant states that 'it can be objectively concluded that there is no likelihood of any significant negative impacts on any Natura 2000 sites arising from the proposed development. Therefore, an Appropriate Assessment will not be required in this instance'.
9. **Observations**
- 9.1. **Prescribed bodies:** - The application was referred to twelve prescribed bodies. Reports have been received from the following:
- 1). **National Transport authority** point out that the draft transport strategy 2011-2030 seeks an expansion of the City's HGV management Strategy to include 4 -axle vehicles, its application to the wider area, the introduction of alternative delivery arrangements and the use of rail systems for good movements where feasible. Currently, a city centre transport plan is in preparation which will address alternative arrangements for freight movement within the city centre. The NTA recommend that:
 - The design of the existing access to the brewery on to Victoria Quay to be altered, in line with the provisions of the NTA National Cycle Manual , to provide a safer and more amenable environment for pedestrians and cyclists passing this point which is important give the substantial increase in HGV movements.
 - Alternative /additional points of access in other locations, particularly at St John's Road and Steevens's Lane, which might enable the future use of rail for the movement of goods.
 - 2.) **NRA.** Satisfied that the Planning Authority will abide with NRA policy.
 - 3). **Iarnod Eireann** in their fist submission sought clarification of the proposal and impact on the proposed DART underground route. In a second letter, dated 30th January, following a meeting with Diagio, Iarnod Eireann stated that they no longer needed additional information as they are satisfied that the proposed brewhouse structure is outside the boundary of the proposed DART Underground substratum acquisition, the attenuation tank and wastewater

neutralisation plant will be founded on raft foundations and are outside the proposed DART Underground substratum acquisition. Also, Diageo has taken full cognisance of the potential construction and operational impacts of the DART Underground, as outlined in the Railway Order application, and subsequently approved by An Bord Pleanála on the 14th December 2011. Two conditions are recommended: -

- At detailed design stage, Diageo design their development foundations in such a manner to take full account of the predicted ground settlement induced by DART Underground, as detailed in the Railway Order Application;
- Liaise with Iarnród Éireann during detailed design and construction phase to ensure the continued safeguard of DART Underground.

4). The **Irish Aviation Authority** has no observations on the planning application.

5). The **Health and Safety Authority** consider that the development is not subject to the SEVESO regulations, and therefore has no observations on the planning application.

6). The **Environmental Protection Agency** in their letter point out that the activity is licensed by the Agency under REG No. PO301-01 which will require a subsequent review application to the Agency. In their view, the EIS should include the new roasting plant, subject of a separate planning application (Plan No. 3765/11), in particular impacts to the atmosphere and any impacts on air quality. It should be noted that emissions associated with construction and demolition works (e.g. dust, noise and vibration etc.,) are not covered under the scope of the IPPC licensing regime.

7). **Inland Fisheries** have stated 'In the event of spillages or contaminated material entering the surface water drainage system as described in section 9.4.10 we recommend automatic shut down of the surface water line to protect the River Liffey and subsequent treatment of the contaminated discharge in the onsite treatment facility and the Local Authority Waste Water Treatment Plant.' A particular concern is with Demolition, ground preparation and associated construction works which have significant potential to cause the release of sediments and pollutants into surrounding watercourses. A comprehensive and integrated approach for achieving aquatic ecological protection both during construction and subsequent operation should be incorporated in the planning approach. Therefore, mitigation as detailed in the EIS Volume 2 both at the construction and operation stage should form a condition of any permission.

9.2. **Third Parties:** - Objections/Representations have been received from the following. A summary of the main issues raised in the correspondence is listed below;

- 1) Mr Anthony Reilly objects to the proposal on the grounds that the proposal 'will impinge on the natural light to his apartment'. He also points out that Watling Street is misspelt in the public notices.
- 1) Kenny Kane associates on behalf of Mr Noel Leonard of 40 Watling Street object to the proposal in its present form. While broadly welcoming the development, his objection is to the location of the waste water treatment plant (9 metres high) in the north-eastern corner of the site in such close proximity his property which is a two storey over basement pub with residential accommodation at first floor level. There is south facing private residential terrace on the flat roof of the pub. The large tanks in such close proximity will be visually intrusive and devalue his property as such a large mechanical facility will result in noise intrusion. The location so close to the only residential dwelling abutting the site is inappropriate given the size of the site and choice of other locations.

Concern is also expressed in relation to traffic management in the area of the temporary construction access point, as it is located so close to the junction with the bridge.

Concern about the effect of construction of the brew house and demolition of the mechanical workshop and store at Watling Street on property at 40 Watling Street; a method statement for demolition should have been part of the application.

The 24 hour operation of the plant will have a severe adverse impact on the property and the quality of life/ amenity of the owner due to noise from the waste water neutralising plant (WWNP) and the loading and unloading of kegs. The letter ends with suggested conditions to minimise the impact on their client, including relocation of the WWNP to another part of the site, submission of a demolition method statement, traffic management plan during construction and noise mitigation measures.

- 2) Mr Paul O' Mahony of 130 The Maltings, Bonham Street, who is one of the directors of the Watling Street Management Company (Maltings apartment complex of 250 units). In general, the proposal is welcomed but would like the lighting improved to Watling, Bonham and Island Streets in recognition of the number of passing tourists and to discourage anti- social behaviour.

- 3) Mr Oisín O hAlmhain, 18, Viking Harbour, Ushers Island. .Proposal welcomed subject to: -

- Impact on Victoria Quay; as a major pedestrian route the footpath should be widened on the quay and ramps at crossings provided for prams etc. The gates along Victoria Quay should be opened as functioning entrances or at least it should be possible to see the brewery through the gates. The works to Victoria Quay House should allow egress to the street. The granite kerbing, stone and cast iron bollards should be protected as required by the City Development Plan. The entire Victoria Quay should be enhanced on both sides of the road by planting more Irish native trees.
- The number of proposed viewing apertures through the wall should be maximised, and extended along the full length of the property.
- Watling St. is an important tourist route to the Guinness Store House and, therefore, should be improved with a cobbled surface, widened footpaths and directional signage. Future development of the brewery should include opening up commercial buildings onto Watling Street to enhance activity on both sides.
- The proposed works to Heuston Plaza to be undertaken at the same time as construction of the brewery so the entire quayside is enhanced simultaneously.
- Water Conservation/ rainwater harvesting should be included and extended to residential properties in the area. Water mains need replacing.
- Noise and dust – residents should be consulted during building works as impacts on their day to day activity and construction traffic should be limited to certain times of the day.

- 4) Irish Georgian Society.

- Impact of development on the protected structures of Victoria Quay House and brick wall by insertion of slots.
- Impacts of the proposed new works on the protected vista looking west down the Liffey. In this section, there is low rise scale and industrial character marked by Croppies acre and historic barrack walls on the north side of the quays and on the south side by Victoria Quay House and the rhythmic arms of brick wall. This stretch

of the quays is markedly different to other quays, with historic character, scale and generally unspoilt nature.

5) Miss Una Butler, 179 The Maltings , Bonham Street

- Supports the submission of Oisín Ó h Almhain, in particular, opening up the environment along Victoria Quay and improvement for pedestrians and cyclists.
- Persistent problem of smells from the Drains/ sewer system which stems from Diagio's brewery site which should be addressed and resolved during this development.

6) Observation from Deputy Catherine Byrne.

- Development will have an overall negative impact on the quality of life of the neighbouring residents, in particular the owner and occupier of no. 40 Watling Street and supports his concerns that building works, pile driving etc., will have a detrimental effect on his home, and the proximity of the treatment plant and associated tanks will be visually obtrusive and generate constant noise 24/7 which will impact negatively on the enjoyment of his home. Construction traffic will cause major disturbance to no 40 Watling Street as will the operation of the facility with associated noise and pollution, and loading and unloading of barrels will be a constant disturbance.

7) Observation from Deputy Paschal Donohoe.

Similar to the observation above Deputy Donohoe is concerned about the impact of the development on the resident of no 40 Watling Street, that it will have a detrimental effect on his enjoyment of his residence.

The above objections and representations have been examined and their contents noted prior to making the recommendation below.

10. Departmental Reports:

10.1. Engineering Department – Drainage Division: The drainage division consider the proposal can be accommodated and, therefore, has no objection subject to conditions.

10.2. Water Services Division: The proposed development will result in an increase in average demand from 244 m³/h to 282 m³/h and in a short duration increase in peak demand from 423 m³/h to 645 m³/h. The only water main in the area which is capable of supplying this increased demand is the 450mm water main on Thomas Street. No objection subject to conditions.

10.3. Roads and Traffic Planning: It is considered that the north lands in particular are situated in an important location on the quays, opposite Heuston Station and at the entrance to the city. There is an opportunity to expand and improve the public realm at a location of national significance which is acknowledged in planning policy documents. The masterplan submitted with the application however has not adequately addressed this issue. No specific proposals are included for the north west corner of the lands, the most sensitive part of the site. The works identified in the masterplan appear to be confined to the enhancement of the boundary along Victoria Quay and Steevens Lane and to a potential small set back to be provided at the north west corner. This proposal falls far short of the public realm improvements envisaged for this area. This division has identified the potential for realigning the roadway southwards within the subject lands to align with St. John's Road thus providing public space direct to the waterfront. There is also potential to improve the environment at

this location for pedestrians and cyclists and linkage from the quays to Heuston station. The applicant should be required, prior to commencement of development, to agree in writing more detailed proposals for public realm improvements in the vicinity of the site.

In tandem with the boundary upgrading footpath widening along the site boundary at the south side of Victoria Quay should also be undertaken as part of the development. The widening can be achieved by reducing the existing carriageway width. The footpath widening should be required by way of condition to be undertaken at the applicant's expense to DCC requirements.

The submitted Traffic Impact Assessment indicates that the proposed brewery development will increase vehicle movements from the site by 155 vehicles per day with 13 additional vehicles during the busier morning peak and 6 additional vehicles during the evening peak period. This results in 0.6% increase on additional traffic volumes during the peak periods. There is potential conflict between vehicular activity generated by the development and peak hour traffic. The applicant should be requested to minimise conflict with peak hour traffic through delivery management. This can be addressed by way of condition.

There appears to be no information submitted regarding people movements to and from the site, that is, staff, construction worker and visitor movements and the modal split for same. This information is required in order to develop an effective mobility management strategy for the site.

No car or cycle parking appears to be proposed as part of the development. It is not clear the extent of car parking that is existing over the entire site, to whom this is available and how it is managed. It is also not clear whether there is existing cycle parking on site. The provision of good end of trip facilities on site such as covered secure cycle parking and shower/changing facilities is also an important factor influencing travel behaviour. It is not clear from the submission if these are available on site.

A Mobility Management Plan should be required by condition if permitted. It should provide information regarding staff numbers and distribution throughout the site, a description of existing and proposed facilities, car and cycle parking information staff survey to establish current modal split and future targets and measures to promote sustainable travel. The environment surrounding and within the site for pedestrians and cyclists should be addressed also as well as links to public transport stops such as, linkage westwards to Heuston station and eastwards to the city centre. Improvements to the local environment such as widened footpaths along Victoria Quay are also important to encourage walking in particular and improve connectivity between the site and the city centre with its range of public transport interchange options. Conditions reflecting the issues above should be included in any recommended grant of planning permission.

10.4. City Archaeologist: The lands are located within a Zone of Archaeological Interest for Recorded Monument DU018-020 Dublin City, which is subject to statutory protection under Section 12 of the National Monuments (Amendment) Act 1994. Further, the site in question is located within a Zone of Archaeological Interest in the Dublin City Development Plan 2011-17. The EIS identified 31 sites (mostly underground) and rated them according to archaeological significance within the study area. Page 222 of the EIS flags the potential for unknown archaeology at the site including waterlogged remains in deep river deposits of high archaeological importance, the former watercourse (a mill race) on the river Camac. Known extensive remains exist comprising post medieval milling and tanning. The site has considerable industrial heritage potential for survival of the remains of a vitriol factory, the earlier brewery, a flour mill, tan yard and paint factory. No objection subject to conditions.

10.5. City Architects welcome the proposed development and point out that the St. James Gate site represents very much a gateway to the city. The current experience however is very much one of backlands. The proposed development will, given their height and location, have a great visual impact on Victoria Quay and the surrounding area.

The proposed geometry of the building is established by the internal organisation of the existing industrial elements on the site. It is in consequence skew to the boundary on Victoria

Quay and to the river yet it is here that it engages with the city.

Under the proposed development it is intended to upgrade the boundary wall to Victoria Quay, by putting in dummy gates where existing opes have previously been blocked; repairing the existing brickwork and stonework; installing new public lights and inserting some opes to permit more views of the brewing yard to passers-by.

Along Victoria Quay, it would appear that no improvement to the existing pavement is envisaged. Cognisant of the City Council's Public Realm Strategy this is an opportunity where the enhancement of the public realm of the quayside requires consideration.

It is proposed in phase 4 to add an export warehouse and ancillary facilities. The location of this building will have potential to address both the Heuston Plaza and also be a focal point when approaching the city along St. Johns Road. It is desirable that the space between the Guinness site and the front of Heuston Station be addressed appropriately acknowledging that the ambitions of the original LAP and masterplan may not be fully achievable.

It is important that the opportunity to engage with the river and the city is realised. The quality of the materials and detailing needs to be carefully considered. The possibility of a contemporary Guinness visitor experience entered through Victoria House, complimentary to the historic Guinness visitor experience in the storehouse, is still realisable. Two conditions are recommended to address the issues raised in their report.

10.6 City Conservation Officer: The 'North lands' were part of the development of the western suburbs of the C17th city. It was an important approach to the city from the west in the C18th with the scenic setting of the river course, the topography of the site and the parkland edge to the city perimeter. The historical appraisal of the site indicates that the evolution of open parklands situated to the west of the city taking place in the late C19th after access to the area was improved to the area by way of a new quay side and the alignment of the river. The original field boundaries appear to have dictated the east – west access route parallel to the river through the site and the line of Cooke Lane still partly discernible in the 'north lands' today. The works proposed include the upgrade the existing Victoria Quay boundary wall from its starting point adjacent to the corner with Watling Street as far as the existing vehicular access gateway to the brewery, to incorporate 32no. feature lights mounted on the existing piers. These works will include facade upgrading of the Guinness Building on Victoria Quay, and restoration works to the gateway piers, both of which are Protected Structures. Works to the wall will include provision of 12 no. viewing slots approx. 450mm wide in the Victoria Quay boundary wall towards the new Brewhouse at strategic locations.

10.7. Environmental Health Officer: Recommends file be referred to the Environmental Protection Agency.

10.8. Fire Prevention Officer: Issues will be dealt with on receipt of a Fire Safety Certificate Application

10.9. The Central Laboratory: The Scientific Officer points out that the proposed development will involve a significant increase in drinking water supplied and an equally significant increase in the trade effluent discharge. *'Environmental issues concerning this proposed development will be addressed in a future review of the EPA's current IPPC licence (Register No. P0301– 01/02), when this is submitted for activities to be operated on the site. Demolition of existing buildings on the site and construction of the proposed development may not be covered by the EPA's current IPPC licence.'*

10.10. Waste Management Services have no objection subject to conditions.

11. Unsolicited Additional Information

The applicant has submitted a document, received 14th February, setting out their response to observations received by the Planning Authority (see section 9). No significant new information is raised in the document and, therefore, will be considered on its merits.

12. Planning Assessment

11.1 Dublin City Development Plan 2011 – 2017.

The Development Plan supports the existing and continued brewery operation on Diageo lands in Dublin 8 where it states in section 16.3 'To support Guinness Brewery in their

continued development to safeguard employment, industry and tourism in the Southwest Inner city'.

Zoning. The bulk of the proposed development is located in Z5 zone i.e. 'City Centre', general industrial uses are not permitted in principle or open for consideration in this zone. While this application contravenes the zoning (Z5) in the City Development Plan 2011-2017, it is not a material contravention as the proposed development is an extension to an existing established use which should be considered on its merits (Para 15.8 of Development Plan). It is proposed to deal with this issue under Section 15.8 of the current City Development Plan i.e. 'Non Conforming Uses'. The brewery is a long established use on the site and the proposal can be dealt with under the 'Non Conforming Uses' provisions of the plan, as this is an extension to an existing use.

Liberties Local Area Plan 2009. It is an objective of the LAP to support the retention of brewing at St James's Gate. The Plan states further that *'Diageo's brewing, tourism and administrative functions at St James Gate are an important economic driver and employer in the area'*

The Liberties LAP was made by Dublin City Council in May 2009. At that time, Diageo were considering relocating out of Dublin. As such the LAP was prepared on the basis of creating a new mixed use urban quarter on an L-shaped site along Victoria Quay/Steevens Lane on the north lands. The boundaries of the proposed urban quarter were indicative only. (Pages 178 and 180 of LAP) and the wording of the LAP acknowledges that the specific needs of the brewery and the final space requirements would be the subject of future review and change. The LAP stipulates that a comprehensive Masterplan is to be prepared as a pre-requisite to any planning application for the Guinness North lands. The intention was that the Master plan would demonstrate how the proposed development could achieve the key strategic objectives of the LAP, and support the new urban mix use quarter which would include a public park, education facilities and a new street parallel to Victoria Quay.

The Masterplan was lodged with Dublin City Council on 29th November 2011.

In the submitted Masterplan, two of the key strategic objectives of the LAP are achieved, that is, to support the retention of brewing at St. James Gate and to sustain a critical mass of employment with associated spin-offs. The details for the north site, however, are not as envisaged in the LAP. The applicant submits that the local objectives are achievable in a different manner on both the north and south lands. In particular, the relocation of the brewing activity from Rainsford Street area to north site leaves sites vacant which could be used to expedite a new mix use urban quarter with three civic spaces around Rainsford Street. The indicative location of the public park to the rear of James church graveyard is partly compensated by the proposed public space fronting the Quay. In addition, the Master plan has proposals to retain a range of community facilities along James Street, e.g. renovated Theatre.

The applicant submits that the change in the location of the mix use quarter to the south lands and provision of the public open space, community and cultural use as indicated in the Master plan are sufficient to comply with the statutory Liberties LAP.

In the Masterplan there is a commitment to public realm improvements along Victoria Quay, Heuston Plaza and Stevens Lane. City Architects and Roads and Traffic Planning have stressed the significance of the location opposite to Heuston Station and the entrance to the city and the need to align with the LAP objectives/proposals for the space. By condition, the current public realm proposals are to be detailed to address this key location in the City with possible realignment of the space.

In the Masterplan, it is indicated that a strategy will be prepared to bring the Rupert Guinness Theatre, at the corner of James Street and Watling Street, into use and undertake a review to retain and upgrade the swimming pool and gym on Watling Street making the facilities accessible to the local community. Also there is a commitment to retain and reuse the vacant PS building along James Street, for which the Conservation Officer has required a conservation plan by condition.

For the south lands, the applicant states their intention to undertake a feasibility study to examine the provision of a new urban quarter on the south lands.

As conditions, the applicant will be required to submit both the strategy and proposals for the

theatre and the upgrading and opening up of the swimming pool and gym and the feasibility study for the creation of a new urban quarter for the south lands with new public spaces and permeability including planning proposals for the redevelopment of the area and reuse of the historic buildings.

Scale Height and Massing

The height of the building is within the height stipulations of the City Development Plan, although it is noted that the building will be placed 4.25 metres above ground level as recommended in the flood impact assessment in the EIS. Therefore, the building will be highly visible in this significant location in the City. The City Architects in their submission have stated that it will make a great visual impact on Victoria Quay and therefore recommend that the building is realigned with the River so it relates to the structure of the City. In my opinion, however, the massing of the three elements of the building (ground cover just over a hectare) is the most significant feature on the frontage to the River Liffey. As such, this will be a monumental building, but given its location in this key view point in the City Centre, it is essential that the materials are of the highest quality, for example, Portland Stone with matt stainless steel tanks, and an innovative quality material for the adjacent structures to the main building. Diagio must recognise that the proposal, unlike the existing invisible operations behind the monumental boundary wall of Victoria Quay, will be a defining element of the City and must recognise the defined urban and historical contexts.

Demolition and Construction

As confirmed by the EPA, the licensing of the 'activity' excludes any consideration of demolition and construction works. Therefore, there are conditions addressing the undertaking of these works in line with best practice and in consideration of the adjacent residential properties all around the site, especially the property at 40 Watling Street,

Amenities of the area

It must be noted that the intended operation is a 24/7 for 365 days of the year within a developed historical city centre location. Conditions have been required to minimise the impact of the development on the amenities of the area, in recognition of the location. In considering the amenities of the area, full consideration has been given to the concerns expressed in the observation letters from residents in the surrounding residential units. It should be noted that the Planning Authority must not duplicate issues considered by the EPA.

Movement

HGV movements are proposed 16 hours per day while Fork Lift Trucks are intended to operate on a 24 hour basis; both of these proposals have been considered and a condition has been proposed on FLT operations in order to limit adverse affects. The policy of the City Development Plan 2011 -2017 is to promote sustainable transport options, such as, walking, cycling, bus and use of rail so that the modal split moves towards more sustainable transport options. Therefore, there are conditions requiring for example, mobility management plan and consideration of pedestrians and cyclists in their proposals and to consider the use of freight in the final phase of the development, subject to another planning application.

Recommendation.

Having regard to the long established use of the site for brewing, the policies in the current City Development Plan supporting the continuation of brewing at St James Gate and the Brownfield nature of the site, it is considered that subject to compliance with the conditions outlined below, the proposal will comply with the proper planning and sustainable development of the area and the provisions of the current City Development Plan.

1) Insofar as the Planning & Development Act 2000 to 2011 and the Regulations made thereunder are concerned the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, as amended by the Further Information received on 14/2/2012. For the avoidance of doubt, this permission shall not be construed as

approving any development shown on the plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2) The building line of the brew house building shall be agreed in writing with the Planning Authority prior to the commencement of development.

Reason: To enhance its visual amenity and engagement with the city.

3) The Waste Water Neutralisation Plant in the northern corner of the subject site shall be modified as follows:

(i) The screening building shall be extended to the full footprint of the two buildings to be demolished, and the new plant, including mechanical plant and pumps, shall be fully enclosed in the new building of sufficient construction to minimise ambient noise levels to surrounding area, especially no. 40 Watling Street;

(ii) The roof shall be hipped and the ridge level shall be reduced in height:

Prior to the commencement of development, details of the above modifications to the extended Waste Water Neutralisation Plant and details of the proposed materials shall be submitted to the Planning Authority for their written agreement.

Reason: In the interests of visual and residential amenities.

4) The materials and finishes shall be of high quality and, prior to the commencement of development details of the materials, finishes and development design detailing of the external envelope shall be submitted to the Planning Authority for written agreement.

Reason: To ensure proper execution of the design intent and, given the location adjacent to the River Liffey, in a key historical view and prospect corridor entering the City, in the interest of visual amenities of this significant location.

5) Within a period of four years from the date of grant of planning permission, the applicant shall submit to the Planning Authority for their written agreement:

(i) The strategy and detailed proposals for the theatre and the upgrading and opening up of the swimming pool and gym, and,

(ii) The feasibility study for the creation of a new urban quarter for the south lands with new public spaces and permeability including planning proposals for the layout, proposed uses, a phasing plan for redevelopment of the area and conservation and reuse of the historic/protected buildings.

Reason: In accordance with the objectives of the Liberties Local Area Plan and in the interests of the proper planning and sustainable development of the area.

6) a) The developer to comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (see www.dublincity.ie Forms and Downloads) and subject to the following conditions:

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b). Due to the increased load and volume to be discharged to the Victoria Quay Sewer, a full condition survey of the integrity and layout of this connection shall be carried out and any required upgrading work must be carried out at the developers' expense. Written approval for the use of this connection must be agreed with Drainage before additional flows are discharged to it.

Reason: In the interest of public health and orderly development.

7) The following conditions of the Water Services Division to be complied with:

a) It is the responsibility of the Applicant to install, at his/her expense, a suitable watermain from Thomas Street to the point of use. The design of the proposed watermain shall be approved in advance by the Water Services Division and shall be laid in accordance with Dublin City Council's Code of Practice for the Laying of Distribution Watermains.

b) All installations, fittings and materials must be in accordance with appropriate standards and approved in advance by the Water Services Division to ensure their compatibility with Dublin's water supply system and to protect public health. In addition, full details of all internal installations (including pumps and break pressure tanks) must be provided in advance to the Water Services Division so as to ensure that they are in accordance with the requirements and standards of the Dublin City Council Waterworks Regulations 1975, Bye-Laws for the Management of Water Services and the Conservation of Drinking Water 2003 (both available on www.dublincity.ie) and other appropriate standards.

c) Connections to existing Dublin City Council water mains will be carried out by the City Council at the expense of the Applicant.

d) Incoming direct feed pipes shall only feed storage tanks or drinking water points. All appliances and fittings, including central heating units, shall only be fed from internal storage tanks.

e) The rate of draw off per hour through a service pipe shall be controlled so as not to exceed at any time one twelfth of the maximum daily requirement.

f) Storage equivalent to 24 hours usage (or as specified in the Dublin City Council Waterworks Regulations 1975 – whichever is the greater) shall be provided in all developments. The Applicant shall demonstrate its compliance with this requirement before construction commences on site.

g) Any proposals for the use of rainwater, grey water, brown water or a well supply on the site shall be submitted to the Water Services Division for consideration and approval before construction commences on site. In the interests of public health and good practice, the Applicant shall comply with the requirements of the Water Services Division in this regard.

h) Covers and frames in footpaths and similar areas shall be Class B standard.

i) The Water Services Division should be notified at least one week before it is proposed to commence work on site.

j) A booster pump(s) shall be installed in each unit of the proposed development which is greater than two storeys in height and full details of the proposed installation shall be submitted to the Water Services Division for written approval before construction commences on site. All booster pumps in excess of 10 litres/min capacity must be fed from a break cistern. The effective capacity of a break water cistern should be decided after consideration of the total water storage requirements and its location within the building but should not be less than 15 minutes pump output.

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k) The connection into the site will require the provision of electricity and telecom supplies. It is the responsibility of the Applicant to make application for these supplies at the earliest possible stage so that it is possible to connect the meter directly to the Dublin City Council telemetry system.

l) The proposed development requires the submission to the Water Services Division of an approved Water Management and Conservation plan before construction commences on site. This plan will include details of the Applicant's proposals in relation to water mains and all internal plumbing and fittings. It shall also outline how water wastage, leaks or excessive consumption may be prevented or identified and remedied. All such works to be at the expense of the Applicant.

Reason: In the interest of public health and orderly development.

8) The following conditions of the City Archaeologist to be complied with:

A). No construction or site preparation work may be carried out on the site until all archaeological requirements of the City Archaeologist are complied with.

B). The project shall have an archaeological assessment (and impact assessment) of the proposed development, including all temporary and enabling works, geotechnical investigations, e.g. boreholes, engineering test pits, etc., carried out for this site as soon as possible and before any site clearance/construction work commences. The assessment shall be prepared by a suitably qualified archaeologist and shall address the following issues.

i. The archaeological and historical background of the site, to include industrial heritage.

ii. A paper record (written, drawn, and photographic, as appropriate) of any historic buildings and boundary treatments, etc.

iii. The nature, extent and location of archaeological material on site (archaeological test trenches

iv. The impact of the proposed development on such archaeological material.

C). The archaeologist shall forward their Method Statement in advance of commencement to the City Archaeologist

D). Where archaeological material is shown to be present, a detailed Impact Statement shall be prepared by the archaeologist which will include specific information on the location, form, size and level (corrected to Ordnance Datum) of all foundation structures, ground beams, floor slabs, trenches for services, drains etc.

E). The assessment shall be prepared on the basis of a comprehensive desktop study and, where appropriate/feasible, trial trenches excavated on the site by the archaeologist and/or remote sensing. The trial trenches shall be excavated to the top of the archaeological deposits only. The report containing the assessment shall include adequate ground-plan and cross-sectional drawings of the site, and of the proposed development, with the location and levels (corrected to Ordnance Datum) of all trial trenches and/or bore holes clearly indicated. A comprehensive mitigation strategy shall be prepared by the consultant archaeologist and included in the archaeological assessment report.

F). No subsurface work shall be undertaken in the absence of the archaeologist without his/her express consent. The archaeologist retained by the project to carry out the assessment shall consult with the City Archaeologist in advance regarding the procedure to be adopted in the

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assessment.

G). A written and digital report containing the results of the archaeological assessment shall be forwarded on completion to the City Archaeologist. The City Archaeologist (in consultation with The National Monuments Service, Department Arts Heritage and Gaeltacht, shall determine the further archaeological resolution of the site.

H). The developer shall comply in full with any further archaeological mitigation requirement, including if necessary archaeological excavation and/or the preservation in situ of archaeological remains, which may negate the facilitation of all, or part of any basement. Before any site works commence the developer shall agree the foundation layout with the City Archaeologist.

I). Following submission of the final report to the City Archaeologist, where archaeological material is shown to be present the archaeological paper archive shall be compiled in accordance with the procedures detailed in the Dublin City Archaeological Archive Guidelines (2008 Dublin City Council), and lodged with the Dublin City Library and Archive, 138-144 Pearse Street, Dublin 2.

Reason: In the interest of preserving or preserving by record, archaeological material likely to be destroyed or damaged in the course of development.

9) The development shall comply with the following conditions of the Conservation Section:

(i) The overall industrial archaeological significance of the site, its buildings and industrial functions shall be adequately recorded and appraised based on the recording standards as produced by The Heritage Council of Ireland and a copy provided to the Local Authority, the Irish Architectural Archive and to the Guinness archive for preservation by record.

(ii) A conservation plan to incorporate the future use for the Victoria gate lodge (in its entirety) as an integral part of the brewery boundary wall providing a prominent and interactive use onto Victoria Quay.

(iii) A conservation plan shall be prepared, including preventative maintenance proposals which sustain the life and vibrancy of the protected buildings onto James's Street based on the re-use of the extant historic structures. Prior to the operation of the development this plan shall be submitted to the Planning Authority for written agreement.

Reason: In the interests of historic recording, research, the conservation of protected structures and the proper planning and sustainable development of the area.

10) The development shall comply with the following conditions of the Roads and Traffic Planning Division: -

a) Prior to operation of the development, the applicant shall submit for the written agreement of the Planning Authority detailed proposals for public realm improvements in the vicinity of the site. Proposals shall address in particular the north western corner of the northern lands included within the blue line of the submitted application in proximity to Heuston Station and the footpath along Victoria Quay adjacent to the northern boundary of the site. The proposals shall show how an improved public realm shall be delivered as part of the development to include a new plaza at the north west corner, widened footpaths, enhance landscaping and improved pedestrian linkage between the site, Heuston station and the city centre. The masterplan for the north lands shall be revised to reflect these proposals and shall also be submitted to the Planning Authority for written agreement.

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b) Prior to operation of the development the applicant shall submit a delivery management plan which aims to reduce conflict with peak hour traffic for the written agreement of Roads & Traffic Planning Division, Dublin City Council.

c) Prior to operation of the development the applicant shall submit a Mobility Management Plan for the overall Guinness lands at Dublin 8. This shall provide information regarding staff numbers and distribution throughout the site, a description of existing and proposed facilities, car and cycle parking information staff survey to establish current modal split and future targets and measures to promote sustainable travel. A Mobility Manager shall be appointed with responsibility for the overall implementation of the plan and shall liaise at regular intervals with the Mobility Management Section of Roads & Traffic Planning Division.

d) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

e). All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of development, shall be at the expense of the developer. Work in the public road may only be carried out by Dublin City Council.

Reason: In the interest of visual amenity and enhancement of the public realm, orderly development and traffic safety.

11) The design of the existing access to the brewery on Victoria Quay, with the approved improvements under Plan No. 2655/11, shall provide a safe and more amenable environment for pedestrians and cyclists passing this point and in phase 2 of the development the applicant shall examine the feasibility of alternative /additional points of access in other locations, particularly at St John's Road and Steevens's Lane, which might enable the future use of rail for the movement of goods.

Reason: In the interests of promoting modal shift to more sustainable transport.

12) The detailed design of the development foundations shall take full account of the predicted ground settlement induced by DART Underground, as detailed in the Railway Order Application and liaise with Iarnród Éireann during detailed design and construction phase to ensure the continued safeguard of DART Underground.

Reason: To protect the route of the proposed DART Underground as approved in the Railway Order.

13) All buildings on the south site in the ownership of the applicant, which will be vacated as a result of the development, shall be subject to a schedule of works to ensure their maintenance and security from weathering and vandalism pending their agreed reuse; Prior to vacating the building, details of the schedule of works shall be submitted to the Planning Authority for written agreement.

Reason: In the interest of conservation.

14) (a) The site and building works required to implement the development shall only be carried out between the hours of:

Mondays to Fridays - 7.00am to 6.00pm

Saturday - 8.00 a.m. to 2.00pm

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monthly statistics regarding waste arising, verification of quantities recycled and disposed and the location of disposal facilities. A construction Liaison contact should be identified by the developer and the information forwarded electronically to Waste Management Services on a monthly basis in order to ensure compliance with legislation.

(iii) Dublin City Council is required to ensure that obligations and targets set out in the EU Landfill Directive 1999/31/EC are complied with. In accordance with targets adopted for the Dublin Region as set out in the Waste Management Plan for the Dublin Region 2005-2010 (and currently under review), the proposed development should comply with the following targets during both the construction and operational phases:

Source Recycling	Target
Commercial/Industry/Research	41%
Construction/Demolition	82%

Reason: In the interests of the protection of the environment having regard Circular WPR 07/06 – Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition – published by the DoEHLG, 2006 and Dublin City Waste Management Guidelines.

18) The number of viewing slots inserted into the boundary wall along Victoria Quay shall be increased with closer spacing between each one; prior to the commencement of development, details of this condition shall be submitted to the Planning Authority for written agreement.

Reason: To enhance the amenities of Victoria Quay by increasing daylight penetration and interaction with the development.

19) As described in section 11.7.2 to 11.9. of volume 2 of the Environmental Impact Statement, the proposed 2.5 high rooftop screen for the AHUs and evaporative condensers on top of the VQ Plant building and incorporating many of the Air Handling Units within the building enclosure shall be incorporated into the facility design. Details of the above shall be submitted to the Planning Authority for written agreement prior to the commencement of development.

Reason: In the interests of amenities and the proper planning and sustainable development of the area.

20) Full details of the size, type and materials of all signage including specification and computer graphic images taken from the Wellington Monument, Frank Sherwin Bridge, the National Museum (Collins Barracks), and James Street to be submitted for the written agreement of the Planning Authority prior to the commencement of the operation of the new brewhouse.

Reason: In the interest of visual amenity

21) The Fork Lift Trucks which it is intended to operate 24 hours per day in the Camac yard shall be fitted with non pulsating soundless reverse moving indicators.

Reason: In the interests of the residential amenities of the area.

22. Before this development commences, a financial contribution in the sum of Euro 1,128,268.00 shall be paid by the Applicant to Dublin City Council under Section 48 of the Planning & Development Act 2000 - 2011.

This contribution shall be payable at the Wholesale Price Index adjusted rate pertaining to the

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Sundays and Public Holidays - No activity on site.

(b) Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

15) The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

16) The development shall comply with the following conditions during the demolition and construction stages: -

(i) During the demolition and construction phase the proposed development shall comply with British Standard 5228; 2009 – Code of Practice for noise and vibration control on construction and open sites, Part 1: Noise and Part 2; Vibration. In addition, the mitigation measures for demolition and construction works as detailed in volume 2 of the EIS shall be followed.

(ii) During the demolition and construction 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 (including those being transported from the site) and slack-heaps, netting of scaffolding, watering of rubble chutes, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisance.

(iii) The watering down of the area should be carried out where necessary to minimise dust transfer into neighbouring premises.

(iv) Stockpiles of earth shall be damped down or otherwise suitably treated to prevent the emission of dust from the site. The stockpiles should be planned and sited to minimise the potential for dust nuisance.

Prior to the commencement of development, a demolition and construction method statement and plan addressing the issues of noise, dust, vibration (such as from pile driving), odour, construction traffic, management, and their mitigation shall be submitted to the Planning Authority for their written agreement.

Reason: In the interest of minimising adverse impacts during the demolition and construction phases of development in the interests of amenities and the proper planning and development of the area.

17) The development shall comply with the following conditions for Waste Management: -

(i) Prior to the construction phase, the quantity of C&D waste shall be determined in order to ensure that the required regulatory permit (issued by Dublin City Council) or licence (issued by the EPA) is in place prior to the commencement of the development.

(ii) During the Construction phase, Waste Management Services requests the provision of

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year in which implementation of this planning permission is commenced, as provided for in the Development Contribution Scheme.

Reason: Investment by Dublin City Council in Local Authority works has facilitated and will facilitate the proposed development. It is considered appropriate and reasonable that the developer should contribute to the cost of same.

23. Before this development commences, a financial contribution in the sum of Euro 1,243,760.00 shall be paid by the applicant to Dublin City Council under Section 48 (2)(c) of the Planning & Development Act 2000 - 2011. This contribution is in addition to the contribution required in accordance with the Development Contribution Scheme made under Section 48 of the Planning & Development Act 2000 -2011.

Reason: Payment of a special contribution is required in respect of this development as specific exceptional costs not covered in the Development Contribution Scheme will be incurred by Dublin City Council in respect of public infrastructure and facilities which will benefit this development, which is located in the Heuston Framework Plan Area.

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