

Planning / Property  
& Economic Development  
Department  
P.O. Box 174  
County Hall  
Swords  
Fingal, Co. Dublin

An Roinn Pleanála, Maoine  
agus Forbartha Eacnamaíche  
Bosca 174  
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**Fingal County Council**  
Comhairle Contae Fhine Gall

**NOTIFICATION OF DECISION TO GRANT PERMISSION  
PLANNING AND DEVELOPMENT ACTS, 2000-2002 AND REGULATIONS MADE  
THEREUNDER**

<b>Decision Order No. 3311</b>	<b>Decision Date 4 October, 2004</b>
<b>Register Ref. F04A/1123</b>	<b>Registered 11 August, 2004</b>

**Applicant** Heatherly Securities Ltd.

**Development** Industrial/Office development of 10,579 sq.m. which would consist of 7 no. 2 storey Industrial/Office Units varying from 523 sq.m. to 2273 sq.m. and in height from 8.3m to 9.85m including ESB substation and switch room of 28.8 sq.m. with associated parking for 304 cars, boundary fencing, landscaping, berming, site works and new access road from existing Stadium Business Park on a 2.58 hectare site adjacent to the Cappagh Road.

**Location** Site Adjacent To The Cappagh Road, Cappoge, Finglas, Dublin 11.

**Floor Area** 10579 Sq Metres

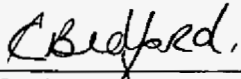
**Time extension(s)** up to and including

**Additional Information Requested / Received** /

In pursuance of its functions under the above mentioned Acts, as Planning Authority, the County Council for the County of Fingal did by Order dated as above make a decision to **GRANT PERMISSION** in respect of the above proposal.

Subject to the (20) conditions on the attached Pages.

Signed on behalf of the Fingal County Council

  
\_\_\_\_\_ **for Senior Executive Officer**

4 October, 2004.

**Henry J. Lyons & Partners**  
47/48 Pearse Street  
Dublin 2

## NOTES:

### (A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications relate to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of eight weeks beginning on the date of Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

### (B) APPEALS

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7. Fees payable to An Bord Pleanala.

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### Conditions and Reasons

1. The development to be carried out in its entirety in accordance with the plans, particulars, specifications, and information lodged with the application, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

REASON: To protect the amenities of the area.

3. That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.

REASON: In the interest of amenity.

4. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.

REASON: In order to comply with the Sanitary Services Acts, 1878-1964.

5. a) The office content of individual units in Blocks no. 2, 3, 4, 5, 6 and 7 shall be restricted to the 1st floor of each unit and shall not exceed 25% of the floor area of that unit.

b) Prior to commencement of development revised plans and particulars for the amended units shall be submitted for the written agreement of the Planning Authority.

The proposed offices in any 'warehouse/production' unit shall be ancillary and not sold or leased separately.

d) The proposed units shall not be internally connected or merged without the prior approval of the Planning Authority or An Bord Pleanála.

REASON: In the interests of the proper planning and development of the area.

6. The proposed 'warehouse/production' units shall be used only for light industry warehousing and ancillary purposes, or for other uses for which permission may be granted by the planning authority or by An Bord Pleanála.

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**REASON:** In the interest of clarity and to limit the use of the units in accordance with the terms of the application.

7. The following requirements of the Transportation Dept. shall be strictly adhered to:
- Revised details of connection to the future realigned Cappagh Road shall only be made subject to the prior written approval of the Transportation Department,
  - Details of any future entrance to the Cappagh Road shall be submitted for the written agreement of the Transportation Department prior to commencement of any works on the entrance,
  - Prior to the connection of the Development to the future realigned Cappagh Road the internal parking/traffic layout shall be revised to accommodate the connection. A through road to the Stadium Business Park shall not be permitted.
  - Revised footpath details shall be submitted to the Transportation Department for written agreement, prior to commencement of development.
  - Prior to occupation of any units within the development, the realigned Ballycoolin Road from the existing roundabout at the entrance to Stadium Business Park to the roundabout north of the M50 shall be designed in accordance with submitted drawing 03/003/011 by Clifton Scannell Emerson Associates and be completed and open to traffic.
  - The subject works outlined in condition 8(e) above, shall be carried out by the applicant and the cost of construction of the road may be offset against any Road/Transportation levies incurred for this development.

**REASON:** In the interest of traffic safety and to insure adequate infrastructure to cater for the proposed development.

8. The applicant is to provide for the written agreement of the Planning Authority a Mobility Management Plan with specific proposals for the encouragement of more environmentally friendly commuting patterns and a reduction in the bias towards car commuting. This shall be submitted prior to the occupation of units and reviewed on an annual basis.

**REASON:** In the interests of the proper planning and development of the area.

9. That the requirements of the Principal Environmental Health Officer be ascertained and strictly adhered to in the development.

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REASON: In the interest of health.

10. No advertising sign or structure other than those indicated on the submitted drawings, shall be erected except those which are exempted development, without the prior approval of the planning authority or An Bord Pleanala.

REASON: in the interests of visual amenity.

11. Prior to the commencement of development the applicant shall submit for the written approval of the Planning Authority full details for planting and landscaping the proposed development including detail of the continued up-keep of this planting. These details shall include arrangements for encouraging the retention of some of the local flora and fauna. The applicant is advised to liase with the Parks. Dept. prior to any submission.

REASON: In the interests of visual amenity.

12. The applicant shall submit full detail and samples of proposed finishes for the written approval of the Planning Authority, prior to the commencement of development.

REASON: In the interests of the proper planning and development of the area.

13. The following requirements of the Irish Aviation Authority shall be strictly complied with;

(i) No structure, masts, chimneys or aerials shall exceed a maximum top elevation of 112m (O.D. Malin Head).

(ii) The requirements of Aer Rianta's ornithologist shall be sought prior to the commencement of development and any recommendations shall be strictly complied with.

(iii) Any proposed use of cranes in excess of 25metres shall be forwarded for the approval of the Irish Aviation Authority three months prior to their introduction on site. No cranes in excess of 25metres shall be introduced onto the site without the prior approval of the Irish Aviation Authority.

REASON: In the interests of the proper planning and development of the area and in the interests of air safety.

14. No use or activity to which the EC Control of Major Hazards Involving Dangerous Substances regulations 2000 (Sevesso II Directive) applies shall take place without the

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prior grant of planning permission from the Planning Authority or An Bord Pleanála.

REASON: In the interests of maintaining control over development and in the interests of the proper planning and development of the area.

15. (a) The noise level from the development, during the construction phase, shall not exceed 55 dBA Leq, at any point along the boundary of the development between 8.00 am and 6.00 p.m. Monday to Friday inclusive and 8:00 am to 13:00 pm on Saturdays. No work shall take place on Sundays and Bank Holidays. These hours will be binding on developers, builders and any subcontractors.

(b) No muck, dirt, debris or other materials shall be deposited on the public road, footpath or verge by machinery or vehicles travelling to or from the development site during the construction phase. The applicant shall arrange for vehicles leaving the site to be kept clean.

REASON: In the interests of amenity and traffic safety.

16. The following requirements of the Water and Drainage section, with regard to the foul sewer, shall be strictly adhered to:

(a) Details of management of the foul sewer pumping station shall be submitted,

(b) Either 24-hour storage or back up emergency generation in accordance with the requirements of the water services division shall be provided.

(c) All manholes shall have sufficient cover in accordance with 'Recommendations for Site Development Works for housing Areas' and the Building Regulations for Drainage and Wastewater Disposal.

(d) All drainage in public areas must be in accordance with 'Recommendations for Site Development Works for Housing Areas' and the Building Regulations for Drainage and Wastewater Disposal. No pipes below 225mm diameter are acceptable.

(e) All drainage in private areas shall be in accordance with the Building Regulations for Drainage and Wastewater Disposal and the Dublin City Council Standard Manhole Details. Manhole wall construction details to be examined on an individual basis.

(f) No foul drainage is to discharge into the surface water system under any circumstances.

REASON: In order to comply with the Sanitary Services Acts, 1878-1964.

## NOTES:

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(d) Appeal other an appeal mentioned at (a), (b), (c) or (f) <sup>3</sup>	€150.00	€200.00
(e) Application for leave to appeal	N/A	€100.00
(f) Appeal following a grant of leave to appeal	€150.00	€100.00
(g) Referral	€150.00	€200.00
(h) Reduced fee (payable by specified bodies <sup>3</sup> )	€75.00	€100.00
(i) Submissions or observations (by observer)	€45.00	€50.00
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17. The following requirements of the Water and Drainage section, with regard to the surface water system, shall be strictly adhered to:
- a) Attenuated flow shall be 6.9l/s.
  - b) Details of proposed method of attenuation shall be submitted for the written agreement of the Planning Authority prior to commencement of development.
  - c) No surface water/rainwater is to discharge into the foul sewer system under any circumstances.

REASON: In order to comply with the Sanitary Services Acts, 1878-1964.

18. Prior to commencement of Development the applicant shall submit additional details and revised proposals with regard to water supply for the written agreement of the Planning Authority.

(A) The applicant is required to:

- (i) Demonstrate compliance with the previous planning permission F99A/0705.
- (ii) Indicate how it is proposed to ensure sufficient water supply. Note: Current water pressure is insufficient.

(B) Notwithstanding the above, if the applicant proposes to upgrade the existing trunk watermain the following applies:

- (i) Details shall be agreed with Dublin City Council,
- (ii) No buildings, structures or trees shall be constructed/erected within five metres of the arterial main within the site (except where written approval has been obtained from the Water Division),
- (iii) On commencement of site works the applicant shall carry out trial holes (under the City Council's supervision) in order to verify the horizontal and vertical alignment of the arterial watermain within the development. The applicant shall then submit this information to the Water Division and take whatever measures are deemed necessary by the Water Division to protect this watermain.
- (iv) The applicant shall submit details at the planning stage of the proposed underground utilities in the vicinity of this watermain and shall consult the Water Division to ensure compliance with its requirements in relation to clearances and the protection of the watermain in these areas. In general, no manhole or other underground

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service should be located within five metres of the main. Any foul sewer pipe crossing the pipe should do so at right angles and should be constructed in an approved unjointed pipe. At the construction stage these areas shall not be back filled until the Water Division has approved the works.

(v) The existing ground level over the watermain shall not be altered without prior written agreement from the Water Division.

(vi) The watermain shall be fenced off over its entire length across the site except for agreed specially constructed crossing point(s). These shall be agreed with the Water Division before construction commences on site and construction traffic shall only cross the watermain at these point(s).

(vii) No construction shall take place on the site until a Method Statement has been submitted and approved by the city Council covering the above items.

(viii) An overland flood route shall also be provided and agreed in writing with the Water Division.

REASON: In the interest of the proper planning and sustainable development of the area.

19. This development shall not be carried out without the payment of a development contribution.

REASON: Investment by Fingal County 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.

20. The developer shall pay the sum of €954,700 (updated at the time of payment in accordance with changes in the Wholesale Price Index - Building and Construction (Capital Goods), Published by the Central Statistics Office) to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of public infrastructure and facilities benefiting development in the area of the Authority, as provided for in the Contribution Scheme for Fingal County made by the council. The phasing of payments and the giving of security to ensure payment shall be agreed in writing with the planning authority prior to the commencement of development.

REASON: It is considered reasonable that the payment of a contribution be required in respect of the public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

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Reg. Ref.: F04A/1123

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**NOTE: A number of the conditions attached to the planning permission may need compliance submissions to be lodged and agreed prior to commencement of development. Failure to comply with a condition of the planning permission is an offence under Section 151 of the Planning and Development Act 2000. Copies of each compliance submission should be made in triplicate.**

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Consent of copyright owner required for any other use.*

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P/3311/04  
**COMHAIRLE CHONTAE FHINE GALL**

**RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER**

**Register Reference:** F04A/1123

**Date of Registration:** 11 August, 2004

**Correspondence:** Henry J. Lyons & Partners 47/48 Pearse Street, Dublin 2

**Development:** Industrial/Office development of 10,579 sq.m. which would consist of 7 no. 2 storey Industrial/Office Units varying from 523 sq.m. to 2273 sq.m. and in height from 8.3m to 9.85m including ESB substation and switch room of 28.8 sq.m. with associated parking for 304 cars, boundary fencing, landscaping, berming, site works and new access road from existing Stadium Business Park on a 2.58 hectare site adjacent to the Cappagh Road.

**Location:** Site Adjacent To The Cappagh Road, Cappoge, Finglas, Dublin 11.

**Applicant:** Heatherly Securities Ltd.

**Application Type:** Permission

**Zoning:** 'ST1' the objective of which is 'To facilitate opportunities for science and technology based employment and associated and complementary uses in a campus style environment in accordance with approved action area plans and subject to the provision of the necessary physical infrastructure.'

**Planning Officers Report:**

KK/FM

Report of the Planning Officer dated 29<sup>th</sup> September 2004.

**Nature of Development:**

**PERMISSION** sought for Industrial/Office development of 10,579sq.m, which would consist of 7 no. 2 storey Industrial/Office Units varying from 523sq.m to 2273sq.m and in height from 8.3m to 9.85m including ESB substation and switch room of 28.8sq.m with associated parking for 304 cars, boundary fencing, landscaping, berming, site works and new access road from existing Stadium Business Park on a 2.58 hectare site adjacent to the Cappagh Road.

**Land-Use Zoning:**

The site of the proposed development is zoned 'ST1' the objective of which is to "Facilitate opportunities for science and technology based employment and associated and complementary uses in a campus style environment in accordance with an approved action area plans and subject to the provision of the necessary physical infrastructure".

# COMHAIRLE CHONTAE FHINE GALL

## RECORD OF EXECUTIVE BUSINESS AND MANAGER'S ORDER

Reg. Ref.: F04A/1123

The current sites forms part of the Action Area Plan for Lands at Ballycoolen, Cappagh and Grange, Blanchardstown.

### Planning History:

**F99A/0705:** Permission **granted** for construction of industrial/warehouse complex now known as 'Stadium Business Park' on 21.14ha's on site between the Ballycoolin Road and Cappagh Road in Cappoge, Dublin 11. The permitted development comprised of an industrial/warehouse development of 31 no. units (totalling 68,401sq.m) in 16 no. blocks. The permitted development also included the construction of electricity sub-stations, guard's huts and the realignment of the Ballycoolin road.

### Applications on sites at northern edge of approved industrial complex, adjoining subject site:

**F02A/0213:** Permission **granted** to retain dock leveller and side entrance at Unit D, Site 5/6, in the north west corner of the Stadium Business Park.

**F00A/0669:** Permission **granted** to construct a terrace containing four industrial units with ancillary offices at site 5/6, in the north west corner of the Stadium Business Park.

**F00A/0292:** Permission **refused** for two industrial units and four warehousing units on site 5/6 in the north west corner of the business park.

**F00A/1215:** Permission **granted** for two storey office and truck maintenance facility totalling 1,728 sq. m. with associated car parking, truck wash, fuel installation and ground works on site no. 8 in north eastern corner of business park.

Note: Site 7, remains undeveloped and it is proposed to construct a spur off the internal estate road via this site, to access the subject site.

**F02A/0538:** Permission granted for development of 23,756sq.m of Light Industrial/Logistics space, comprising Phase 1 of a Science and Technology Park development, along with the infrastructure and landscape works to facilitate Phases 1 to 4 of said development. The site of approximately 22.22 ha (55 acres), is owned by Irish Asphalt Ltd and adjoins the subject site to west.

**F04A/0876:** Current application seeking permission for the erection of new four bedroom detached bungalow and double garage on site adjoining 'Rose Cottage' to east of the subject site. Additional information requested on 12<sup>th</sup> August 2004. No response to date.

### Departmental Reports:

#### Water and Drainage:

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The report of the Water and Drainage Section indicated no objection to the proposed development subject to conditions. It is noted that insufficient information is submitted with regard to water supply. It is considered acceptable to address the issues raised by condition.

### Transportation:

The report of the Transportation Department indicates no objection to the proposed development, subject to 7 no. Conditions.

Conditions no. 6 and 7 require that the realigned Ballycoolin Road from the existing roundabout at the entrance to Stadium Business Park to the roundabout north of the M50 shall be designed, completed and open to traffic, at the applicant's expense 'prior to completion of the Development'.

Under the terms of condition no. 1 a revised parking layout for 330 spaces in total is required. It is stated that this provision may be reduced to that applied for (304 spaces), subject to approval of satisfactory Mobility Management Plan/Measures.

Conditions 2-4 relate to future connection of the development to the realigned Cappagh Road. Revised footpath details are also required.

### Parks Department:

The report of the Parks Department states that there is no objection in principal. A landscaping plan is requested.

### D.T.O.

*The proposed development provides for industrial/office units, with a level of car parking which is equivalent to office-based uses. The DTO is not in a position to support employment intensive development at this location at this time unless an appropriate level of public transport is provided to support it. The applicant should be requested to demonstrate how the development will be serviced by public transport.*

*For this reason, the DTO would not support the further provision of this type of development in this area, in the absence of an adequate level of public transport service or a commitment to such'.*

### Pre-Planning Discussions:

Informal pre-planning discussions with by Stewart Logan, A/SEP.

### Objections/Submission:

An objection has been received from an adjoining landowner. Issues raised include depreciation of property values, rodent control and noise, dust and dirt creation during construction phase. The issues raised are noted.

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### Site Location and Description:

The subject site (2.58ha) is located approx. 3km's north west of Blanchardstown Village, at the eastern periphery of lands zoned for 'Science and Technology' based employment. The site is immediately north of Stadium Business Park and immediately south west of the Cappagh road. Lands to east, on the opposite side of the Cappagh road (Huntstown CRH Quarry) are zoned B the objective of which is 'to protect and provide for the development of a griculture and rural amenity'. There are also industrially zoned lands (zone E) to north.

The subject site (2.58ha) is a green field site, adjoining an established industrial area. Adjoining lands to south are already in industrial/logistics use (Stadium Business Park). Permission is also granted for light industrial/logistics uses on adjoining lands to west (Irish Asphalt Ltd). The Cappagh road bounds the site to north east and there are adjoining residential properties to north west and south east. External site boundaries are marked by mature tree and hedge planting, save the eastern boundary. A palisade fence marks the eastern boundary. A palisade fence also reinforces the southern boundary.

### CURRENT PROPOSAL

Permission sought for an Industrial/Office development of 10,579sq.m on a 2.58ha site immediately north of Stadium Business Park.

It is proposed to construct 7 no. 2 storey Industrial/Office blocks varying in size from 523sq.m to 2273sq.m and varying in height from 8.3m to 9.85m. The blocks would be sub-divided into smaller own door units, with 46 units proposed in total. Block 1 (6-units) is given over exclusively to office use, with a stated office floor area of 2076sq.metres. The remaining 6 Blocks combine warehouse/production space, (4191.5sq.metres) and associated ground and first floor office space (3656.5sq.metres). The breakdown of stated floorspace equates to approximately 42.19% 'warehouse/production' floor space, 36.9% associated office floor space and 20.9% independent office floor space. Total office floor space would be approx. 58%.

The development is essentially an extension of Stadium Business Park, as it is proposed to link to the road network and services in the adjoining complex to South. Possible future access from a realigned Cappagh road has also been indicated.

The subject site is irregular in shape. An 87m access road would run in a north-south direction from the main estate road in Stadium Business Park to the subject site. The site is roughly prism shaped. The southern end is predominantly square (circa 150metres by 120metres). Site boundaries at the northern end slant inward and meet at a point.

It is proposed to locate five blocks along the site boundaries, (north west, north east and southern site boundaries) and to locate 2 no. rectangular blocks side by side, centrally within the site. The blocks along site boundaries are single unit depth, fronting into the site and ranging from in

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width from 13.5metres to 16.5metres. The two central blocks are double fronted blocks (double unit depth) of 32.5metres in width. Blocks are set off the external site boundaries, by between 3.797metres to 30metres. The areas between blocks would be given over to internal roads, landscaping and parking. Parking is generally provided to front, side and rear of the blocks. The submitted landscaping layout details planting between blocks, along external site boundaries and along both sides of the 87m access road. A central landscaped area is also proposed at the northern section of the site. Palisade fencing with edge landscaping is proposed along all site boundaries.

The proposed are essentially rectangular shaped, flat roofed blocks, with heights ranging from 8.3m to 9.85m. 'Primary' elevations would have a cladding finish of terracotta clay tile panels, aluminium windows/doors and roller doors in the case of warehouse/production units. 'Secondary' (side and rear) elevations on warehouse/industrial units would have a kingspan or similar cladding finish of selected colour.

The proposed development would include ESB substation and switch room, parking for 304 cars, boundary fencing, landscaping, berming and site works. It is proposed access the site during construction phase, via an existing agricultural access onto the Cappagh road and a possible future access off the proposed re-aligned Cappagh road is also shown.

### Planning Comment

The site is located within an area zoned "ST1" and is within the boundary of an approved action area plan. In this zone, industrial development is permitted in principle and warehousing and offices uses are open for consideration, subject to the requirements of the action area plan, traffic implications, design issues, impact on adjoining development and other technical details such as drainage and landscaping.

The subject application is essentially for an extension to the existing Business Park. With respect to site zoning and the approved action area plan, the proposed uses are generally in line with the type of uses envisaged on 'ST1' lands. The proposed uses are also considered compatible with existing and permitted Industrial/Logistic uses on adjoining sites. There are 2 residential properties adjoining the site, to north west and north east, on lands zoned 'ST1'. Having regard to the proposed building heights, setbacks, uses and boundary treatments, it is considered that the proposed would not have an undue effect on the amenity of adjoining residential properties. Proposed building heights, orientation and setbacks are such that no unreasonable overlooking or overshadowing of adjoining properties would occur and it is considered that the proposed warehouse/production and office uses would not give rise to undue noise or nuisance. To protect the amenity of the adjoining properties during construction a condition regulating construction noise and hours is considered appropriate.

The submitted plans indicate a well-laid out development with central landscaping. The scale of development is consistent with existing and permitted development on adjoining sites to south

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and west. As is evident from the site layout plan 1:500, the block footprints are relatively modest when compared to units to south. The buildings are of standard office/industrial design, with high quality cladding (terracotta clay tile panels) proposed on primary elevations. The proposed glazed office unit at the main entrance is considered to provide an aesthetically pleasing entry to the park. Details of the boundary treatments along the proposed link road from the Stadium Business Park would be required.

The current road network is substandard and the provision of an improved road network is considered of central importance to the orderly development of this area. The applicants propose to provide land and to construct a 350m section of the realigned Ballycoolin road from Stadium Business Park access roundabout to Ballycolin road/Cappagh Road Roundabout, as part of the subject proposal (submitted Drawing no. 03/003/011). The transportation department has no objection to the proposed and recommends that the proposed road improvements be completed, at the applicant's expense, prior to completion of the development. It is considered appropriate to attach a condition prohibiting occupation of any unit, until the Cappagh road realignment scheme has been constructed and is operational.

Concern is expressed with regard to the extent of proposed office floor space. Given the site location at the periphery of 'ST1' lands and the limited public transport at this location, it is considered that access to the subject site would be largely car based. No mobility plan is submitted with the subject application. The mobility plan submitted under F02A/0538 for adjoining lands to west envisaged a modal split bias of 80% towards the private car. As such, employee intensive uses such as office uses are considered undesirable at this location and contrary strategic Planning Policy, which aim to locate employment intensive uses along public transport corridors.

The recommendations of the Dublin Transportation Office (DTO) report dated 27<sup>th</sup> September 2004 is also relevant. It states that *'the DTO would not support the further provision of this type of development in this area, in the absence of an adequate level of public transport service or a commitment to such'*.

Having regard to the land-use zoning and the terms of the approved action area plan, it is considered that warehouse/production uses with ancillary offices are acceptable at this location. However, a sizeable office content would be acceptable in the absence of improvements to public transportation and mobility management.

Serious concern is expressed with regard to the office content of the 6-warehouse/production/office blocks. Stated office floor space in Blocks 2-7 amounts to 3656.5sq.metres or circa 46.6% of the net floor space of these blocks. The proposed office content of individual units in blocks 2-7 ranges from 44% to 63% of unit floor area. This could not be considered ancillary to the proposed warehouse/production use.

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While a single office block and other ancillary offices may be acceptable at this location, it is considered that the combined office content of the proposed development is excessive and that the office content of the warehouse/production units should be limited to ancillary offices only.

A condition limiting office floor space in Blocks 2-7 to 1<sup>st</sup> floor offices and reducing the content to 25% of net floor space in these units is considered appropriate in this instance. This would result in an overall office content of approx. 40%.

The proposed 304 parking spaces are considered adequate to cater the revised scheme, and as such, the additional parking as recommended in the report of the Transportation Department shall not be requested.

The applicants have failed to detail the nature of production proposed. To ensure the amenities of the area and of adjoining properties it is therefore considered appropriate to restrict production-related uses to 'Light Industry'.

The surface water issues raised by the water and drainage section are noted. It is considered that these issues can be addressed by condition.

### CONCLUSION:

The proposed industrial/office development is considered acceptable subject appropriate conditions relating to the issues raised above and in the reports of other sections and prescribed bodies.

### RECOMMENDATION

I recommend that a decision to **GRANT PERMISSION** be made under the Planning and Development Acts 2000-2002, for the following (20) condition(s):-

#### Conditions and Reasons

1. The development to be carried out in its entirety in accordance with the plans, particulars, specifications, and information lodged with the application, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

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REASON: To protect the amenities of the area.

3. That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.

REASON: In the interest of amenity.

4. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.

REASON: In order to comply with the Sanitary Services Acts, 1878-1964.

5. a) The office content of individual units in Blocks no. 2, 3, 4, 5, 6 and 7 shall be restricted to the 1st floor of each unit and shall not exceed 25% of the floor area of that unit.  
b) Prior to commencement of development revised plans and particulars for the amended units shall be submitted for the written agreement of the Planning Authority.

The proposed offices in any 'warehouse/production' unit shall be ancillary and not sold or leased separately.

- d) The proposed units shall not be internally connected or merged without the prior approval of the Planning Authority or An Bord Pleanala.

REASON: In the interests of the proper planning and development of the area.

6. The proposed 'warehouse/production' units shall be used only for light industry warehousing and ancillary purposes, or for other uses for which permission may be granted by the planning authority or by An Bord Pleanala.

REASON: In the interest of clarity and to limit the use of the units in accordance with the terms of the application.

7. The following requirements of the Transportation Dept. shall be strictly adhered to:

- a) Revised details of connection to the future realigned Cappagh Road shall only be made subject to the prior written approval of the Transportation Department,

- b) Details of any future entrance to the Cappagh Road shall be submitted for the written agreement of the Transportation Department prior to commencement of any works on the entrance,



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c) Prior to the connection of the Development to the future realigned Cappagh Road the internal parking/traffic layout shall be revised to accommodate the connection. A through road to the Stadium Business Park shall not be permitted.

d) Revised footpath details shall be submitted to the Transportation Department for written agreement, prior to commencement of development.

e) Prior to occupation of any units within the development, the realigned Ballycoolin Road from the existing roundabout at the entrance to Stadium Business Park to the roundabout north of the M50 shall be designed in accordance with submitted drawing 03/003/011 by Clifton Scannell Emerson Associates and be completed and open to traffic.

f) The subject works outlined in condition 8(e) above, shall be carried out by the applicant and the cost of construction of the road may be offset against any Road/Transportation levies incurred for this development.

REASON: In the interest of traffic safety and to insure adequate infrastructure to cater for the proposed development.

8. The applicant is to provide for the written approval of the Planning Authority a Mobility Management Plan with specific proposals for the encouragement of more environmentally friendly commuting patterns and a reduction in the bias towards car commuting. This shall be submitted prior to the occupation of units and reviewed on an annual basis.

REASON: In the interests of the proper planning and development of the area.

9. That the requirements of the Principal Environmental Health Officer be ascertained and strictly adhered to in the development.

REASON: In the interest of health.

10. No advertising sign or structure other than those indicated on the submitted drawings, shall be erected except those which are exempted development, without the prior approval of the planning authority or An Bord Pleanala.

REASON: in the interests of visual amenity.

11. Prior to the commencement of development the applicant shall submit for the written approval of the Planning Authority full details for planting and landscaping the proposed development including detail of the continued up-keep of this planting. These details shall include arrangements for encouraging the retention of some of the local flora and fauna. The applicant is advised to liase with the Parks. Dept. prior to any submission.

REASON: In the interests of visual amenity.

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12. The applicant shall submit full detail and samples of proposed finishes for the written approval of the Planning Authority, prior to the commencement of development.

REASON: In the interests of the proper planning and development of the area.

13. The following requirements of the Irish Aviation Authority shall be strictly complied with;

(i) No structure, masts, chimneys or aerials shall exceed a maximum top elevation of 112m (O.D. Malin Head).

(ii) The requirements of Aer Rianta's ornithologist shall be sought prior to the commencement of development and any recommendations shall be strictly complied with.

(iii) Any proposed use of cranes in excess of 25metres shall be forwarded for the approval of the Irish Aviation Authority three months prior to their introduction on site. No cranes in excess of 25metres shall be introduced onto the site without the prior approval of the Irish Aviation Authority.

REASON: In the interests of the proper planning and development of the area and in the interests of air safety.

14. No use or activity to which the EC Control of Major Hazards Involving Dangerous Substances regulations 2000 (Seveso II Directive) applies shall take place without the prior grant of planning permission from the Planning Authority or An Bord Pleanála.

REASON: In the interests of maintaining control over development and in the interests of the proper planning and development of the area.

15. (a) The noise level from the development, during the construction phase, shall not exceed 55 dBA Leq, at any point along the boundary of the development between 8.00 am and 6.00 p.m. Monday to Friday inclusive and 8:00 am to 13:00 pm on Saturdays. No work shall take place on Sundays and Bank Holidays. These hours will be binding on developers, builders and any subcontractors.

(b) No muck, dirt, debris or other materials shall be deposited on the public road, footpath or verge by machinery or vehicles travelling to or from the development site during the construction phase. The applicant shall arrange for vehicles leaving the site to be kept clean.

REASON: In the interests of amenity and traffic safety.

16. The following requirements of the Water and Drainage section, with regard to the foul sewer, shall be strictly adhered to:

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- (a) Details of management of the foul sewer pumping station shall be submitted,
- (b) Either 24-hour storage or back up emergency generation in accordance with the requirements of the water services division shall be provided.
- (c) All manholes shall have sufficient cover in accordance with 'Recommendations for Site Development Works for housing Areas' and the Building Regulations for Drainage and Wastewater Disposal.
- (d) All drainage in public areas must be in accordance with 'Recommendations for Site Development Works for Housing Areas' and the Building Regulations for Drainage and Wastewater Disposal. No pipes below 225mm diameter are acceptable.
- (e) All drainage in private areas shall be in accordance with the Building Regulations for Drainage and Wastewater Disposal and the Dublin City Council Standard Manhole Details. Manhole wall construction details to be examined on an individual basis.
- (f) No foul drainage is to discharge into the surface water system under any circumstances.

REASON: In order to comply with the Sanitary Services Acts, 1878-1964.

17. The following requirements of the Water and Drainage section, with regard to the surface water system, shall be strictly adhered to:
- a) Attenuated flow shall be 6.9l/s.
  - b) Details of proposed method of attenuation shall be submitted for the written agreement of the Planning Authority prior to commencement of development.
  - c) No surface water/rainwater is to discharge into the foul sewer system under any circumstances.

REASON: In order to comply with the Sanitary Services Acts, 1878-1964.

18. Prior to commencement of Development the applicant shall submit additional details and revised proposals with regard to water supply for the written agreement of the Planning Authority.
- (a) The applicant is required to:
    - (i) Demonstrate compliance with the previous planning permission F99A/0705.
    - (ii) Indicate how it is proposed to ensure sufficient water supply. Note: Current water pressure is insufficient.
  - (b) Notwithstanding the above, if the applicant proposes to upgrade the *existing trunk* watermain the following applies:

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- (i) Details shall be agreed with Dublin City Council,
- (ii) No buildings, structures or trees shall be constructed/erected within five metres of the arterial main within the site (except where written approval has been obtained from the Water Division),
- (iii) On commencement of site works the applicant shall carry out trial holes (under the City Council's supervision) in order to verify the horizontal and vertical alignment of the arterial watermain within the development. The applicant shall then submit this information to the Water Division and take whatever measures are deemed necessary by the Water Division to protect this watermain.
- (iv) The applicant shall submit details at the planning stage of the proposed underground utilities in the vicinity of this watermain and shall consult the Water Division to ensure compliance with its requirements in relation to clearances and the protection of the watermain in these areas. In general, no manhole or other underground service should be located within five metres of the main. Any foul sewer pipe crossing the pipe should do so at right angles and should be constructed in an approved unjointed pipe. At the construction stage these areas shall not be back filled until the Water Division has approved the works.
- (v) The existing ground level over the watermain shall not be altered without prior written agreement from the Water Division.
- (vi) The watermain shall be fenced off over its entire length across the site except for agreed specially constructed crossing point(s). These shall be agreed with the Water Division before construction commences on site and construction traffic shall only cross the watermain at these point(s).
- (vii) No construction shall take place on the site until a Method Statement has been submitted and approved by the city Council covering the above items.
- (viii) An overland flood route shall also be provided and agreed in writing with the Water Division.

REASON: In the interest of the proper planning and sustainable development of the area.


19. This development shall not be carried out without the payment of a development contribution.

REASON: Investment by Fingal County Council in Local Authority works has facilitated


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and will facilitate the proposed development. It is considered appropriate and reasonable that the developer should contribute to the cost of same. 

20. The developer shall pay the sum of € 754,700 (updated at the time of payment in accordance with changes in the Wholesale Price Index - Building and Construction (Capital Goods), Published by the Central Statistics Office) to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of public infrastructure and facilities benefiting development in the area of the Authority, as provided for in the Contribution Scheme for Fingal County made by the council. The phasing of payments and the giving of security to ensure payment shall be agreed in writing with the planning authority prior to the commencement of development.

REASON: It is considered reasonable that the payment of a contribution be required in respect of the public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that is intended, will be provided, by or on behalf of the Local Authority. 

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S. Logan 30/9/04  
Senior Executive Planner

J. Coffey 4/10/04

Endorsed:

J. de Bruijn  
Administrative Officer

**Order:** A decision pursuant to Section 34 of the Planning and Development Act 2000 to **GRANT PERMISSION** for the above proposal subject to the(20) condition(s) set out above is hereby made.

**Dated** 4th October  
September, 2004

John Stannard  
Senior Planner/Senior Executive Officer  
Director of Services

To whom the appropriate powers have been delegated by Order of the County Manager, dated

4/10/04

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