



Board Direction

Ref: PL06S.246392

The submissions on this file and the Inspector's report were considered at a Board meeting held on 27th March 2017.

The Board decided by a majority of 2:1 to grant permission generally in accordance with the Inspector's recommendation, and in accordance with the draft reasons, considerations and conditions set out below.

REASONS AND CONSIDERATIONS

Appropriate Assessment Screening

In conducting a screening exercise for appropriate assessment, the Board considered the nature and scale of the proposed development, the nature and characteristics of the receiving environment, the documentation and submissions on file, including the Screening Report for Appropriate Assessment, the substantial separation distances to European Sites, including the substantial hydrological distance to Sites in Dublin Bay, and the assessment of the Inspector in relation to the potential for effects on such Sites. In undertaking the screening exercise, the Board accepted the analysis and conclusions of the Inspector, and concluded that, by itself or in combination with other plans or projects in the vicinity, the proposed development would not be likely to have significant effects on European Sites in view of their conservation objectives.

Environmental Impact Assessment Screening

Having regard to the characteristics and location of the proposed development, the characteristics and scale of the potential impacts that might arise, the documentation and submissions on file, the categories of development set out in Schedule 5 to the Planning and Development Regulations, 2001, as amended, and the criteria set out in Schedule 7 of those Regulations, the Board is satisfied that the proposed development would not be likely to have significant effects on the environment, either by itself or in cumulation with other development in the area. In coming to this determination, the Board concurred with the analysis and conclusions set out in the Inspector's report. The Board, therefore, concluded that the submission of an environmental impact statement was not required.

Conclusions on the Proper Planning and Sustainable Development of the Area

Having regard to the nature and scale of the proposed development, the provisions of the South Dublin County Development Plan 2016 - 2022, the Enterprise and Employment land use zoning objective for the site, its close proximity to the national road and motorway infrastructure, the documentation and submissions on file, including the detailed documentation on flooding submitted in support of the application and appeal, it is considered that, subject to compliance with the conditions set out below, the proposed development would not unduly conflict with the provisions of "The Planning System and Flood Risk Management Guidelines for Planning Authorities" issued by the Department of the Environment, Heritage and Local Government (2009), would not have unacceptable impacts on aviation, ecology, water quality or the landscape, would not detract from archaeological features, would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, and would not conflict with the provisions of the Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. Plans Partic incl. FI 11th February 2016
2. All environmental mitigation measures set out in the documentation submitted in support of the application and appeal, including in particular those set out in the Site Specific Flood Risk Assessment and associated documentation and the Aviation Impact Assessment Report, shall be implemented in full, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of the protection of the environment.

3. The use of the units shall be limited to logistics/warehousing and shall not be used for industrial purposes or for any other purpose without a prior grant of planning permission.

Reason: In the interest of clarity and of orderly development, and having regard to the proximity of Casement Aerodrome, the existing uses in Baldonnell Business Park, and the proximity of the national road and motorway infrastructure, as well as the level of car parking provided.

4. No unit shall be exclusively used as offices and all office use shall be ancillary to the logistics/warehousing use within each unit.

Reason: In the interest of clarity and to comply with the land use zoning provisions set out for the area in the South Dublin County Development Plan 2016 - 2022.

5. No additional floorspace shall be formed by means of internal horizontal division within the buildings hereby permitted unless authorised by a prior grant of permission.

Reason: To control the intensity of development and to ensure that adequate car parking and service facilities will be provided within the development.

6. No goods or waste products shall be placed or stored externally to the commercial units.

Reason: In the interest of the visual amenities of the area, of public health, and to protect car parking.

7. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to, and agreed in writing with, the planning authority. This shall provide for measures to encourage the use of public transport, cycling, walking and car-pooling by staff and to reduce and regulate the extent of staff parking. The mobility strategy shall be prepared and implemented for all units within the development.

Reason: In the interest of encouraging the use of sustainable modes of transport, to comply with the provisions of "Smarter Travel – a Sustainable Transport Future – a New Transport Policy for Ireland 2009 – 2020", issued by the Department of Transport, particularly in light of the number of employees proposed.

8. Each unit shall be provided with suitable and adequate cycle parking, changing and shower facilities, lockers and drying rooms to cater for cyclists, in accordance with the requirements of the planning authority. Prior to commencement of development, revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of sustainable transport.

9. The development shall be managed in accordance with a management scheme that shall be submitted to, and agreed in writing with, the planning authority prior to the occupation of the commercial units. This scheme shall provide adequate measures for the future maintenance of the development, including landscaping, roads, paths, parking areas, lighting, waste storage facilities and sanitary services.

Reason: To provide for the satisfactory future maintenance of this development in the interest of visual amenity and orderly development.

10. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development, following consultation with the Department of Defence. This scheme shall include the following:

(a) A plan to scale of not less than 1:500 showing:

- (i) existing boundary hedgerows and trees, specifying which are proposed for retention as features of the site landscaping,

- (ii) the measures to be put in place for the protection of these landscape features during the construction period,
 - (iii) the species, variety, number, size and locations of all proposed trees and shrubs,
 - (iv) details of screen planting which shall not include leylandii or griselinia species,
 - (v) details of roadside/street planting, and
 - (vi) hard landscaping works, specifying surfacing materials, furniture and finished levels.
- (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
- (c) A timescale for implementation.

All planting shall be adequately protected from damage until established. Any plants that die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interests of visual amenity.

11. Comprehensive details of the proposed lighting system to serve the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The agreed lighting system shall be fully implemented and operational, before any of the commercial units are made available for occupation.

Reason: In the interest of public safety and visual amenity.

12. Urban WaterDrain

13. Cables

14. RoofPlant

15. Arch A

16. CMP1

17. Section 48

Note:

The Board noted the further information submitted to the planning authority, and was satisfied that this constituted further detail and clarification in respect of the proposed development, and did not change the substantive proposal in any material way in planning terms; similarly, the Board was satisfied that the appeal documentation did not result in a material change to the proposed development. The Board was, therefore, satisfied that no new requirement for public notices arose.

Board Member: _____ Date: 3rd April 2017
Fionna O' Regan