



An
Bord
Pleanála

Inspector's Report PL06S.247096.

Development	Retention of 3 no. pre-fabricated ancillary offices and permission for new elevation treatment and external cladding, revised car park and ancillary works.
Location	Site 14B Grants Way, Greenogue Ind. Est. Rathcoole, Co. Dublin.
Planning Authority	South Dublin County Council.
Planning Authority Reg. Ref.	SD16A/0184
Applicant(s)	Starrus Eco Holdings Ltd. (T/A Greenstar)
Type of Application	Retention and permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party vs. refusal
Appellant	Starrus Eco Holdings Ltd.
Observer(s)	None
Date of Site Inspection	18 th November 2016
Inspector	Ciara Kellett

1.0 Site Location and Description

- 1.1. The appeal site is located within the Greenogue Industrial Estate in Rathcoole, Co. Dublin. Greenogue Industrial Estate is located north of junction 4 off the N7/M7 Road and the R120 Rathcoole to Newcastle regional road. It is approximately 1.9km north of Rathcoole and approximately 15km south-west of Dublin city centre. The Industrial Estate is a relatively large estate with a number of internal roads and avenues leading to various industrial facilities.

The subject site is located within Site 14B at the end of Grants Way, a cul-de-sac off Grants Avenue. Site 14B is located at the northern end of the estate. The applicant's ownership includes the lands identified as Site 14A which is located to the west of 14B. There are other warehouse/industrial type structures with external yards and storage areas in the general vicinity of 14B, including Kavanagh Crane Hire to the east, John Paul Construction to the south and Forklift Hire to the west.

Site 14A is used for skip storage and Site 14B comprises a large industrial clad building which operates as a waste transfer facility. The area, the subject of the application in Site 14B, comprises prefabricated offices, a control room and canteen facilities for the staff.

There are three prefabricated structures in total. The structure to the west nearest the main vehicular entrance is a single storey structure and the structure to the east is two storey – the upper unit is accessed via an external staircase. The structure to the east includes the control office for the weighbridge. Waste vehicles enter through a dedicated entrance and cross over the weighbridge before continuing on to the waste transfer facility. The site is surrounded by a palisade fence on a low blockwork wall. The overall site area within the redline is stated as being 0.265Ha.

- 1.2. Appendix A includes maps, aerial view and photos of the site.

2.0 Proposed Development

- 2.1. Retention permission is sought for the three free standing single storey prefabricated offices (162sq.m) currently laid out as a single and two storey facility and for permission for a new elevation treatment and external cladding of the prefabricated structures, revised car parking layout and all associated works at Site 14B.

The prefabricated units are currently in use as offices, canteen, control room for the weighbridge and toilet facilities. The cladding proposed is to match the warehouse building – Kingspan Merlin Grey Box profile.

Laying the three prefabricated offices out as single storey involves the loss of car parking spaces. These spaces are being replaced to the south of the site.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority refused permission for two reasons:

- 1) The proposed retention on a permanent basis of prominently located prefabricated standalone structures, separate to the main building on site, would be visually unacceptable, would represent a substandard form of development, and would contravene the policies and objectives of the current South Dublin County Council Development Plan, in particular ET3 Objective 5 which seeks to ensure industrial areas are finished to a high standard. The proposal would therefore seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.
- 2) The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively seriously injure the visual amenities of the area and of property in the vicinity, and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. The Planner's Report is the basis for the Planning Authority decision. It includes:

- Area is zoned EE '*To provide for enterprise and employment related uses*' so in principle offices ancillary to the waste disposal operation would be acceptable.
- Notes that the planning authority has serious concerns about the retention of prefabricated, standalone structures in this location because it is an objective

of the Development Plan to ensure such areas are designed to the highest architectural and landscaping standards.

- Notes the location of the structures impacts on the car parking arrangements.
- Considers that the revised proposal of a single storey layout would be readily visible and despite the proposed cladding, it is considered that the structures at this location, and the precedence set, would be unacceptable.
- Notes that over the planning history of the structures, the planning authority has stated that standalone structures are not visually acceptable and damage the visual amenities.
- The applicant has had the structure in place since the early years of the last decade, and considers that the applicant has had sufficient time to propose a more permanent ancillary office facility.
- Notes the site is located within 700m consultation distance of Brenntag Chemicals, which is a Seveso site.

3.2.2. Other Technical Reports

- Surface Water Drainage – No objection subject to conditions
- Environmental Health Officer – No objections subject to conditions
- Irish Water – No objections
- Roads Section – No objections subject to conditions.

3.3. Prescribed Bodies

Health and Safety Authority (HSA) – No objections.

3.4. Third Party Observations

None.

4.0 Planning History

- S01A/0868: Permission granted in July 2002 for the existing waste transfer and recycling facility comprising a 1729sq.m warehouse building that included 233sq.m of ancillary internal office accommodation on 3 floors.
- SD3A/0581: In November 2003 permission was *refused* inter alia, for the omission of the 233sq.m integral ancillary office accommodation from within the warehouse and for 175sq.m ancillary office accommodation in 3 storey freestanding prefabricated block in yard.
- SD03A/0893: 5 year temporary permission granted in March 2004 for three prefabricated offices in two blocks.
- SD13A/0237, ABP ref. PL06S.243024: Permission granted in May 2014 on appeal for the retention of temporary offices, 162sq.m, for 2 years. ABP permission condition no.2 states that the temporary offices shall be removed from the site after the two years.
- Enforcement Ref: S7319 – Permission SD03A/0893 expired March 2009 but offices remained on site. Warning letter served. Closed June 2014 following permission SD13A/0237/ ABP ref. PL06S.243024.

5.0 Policy Context

5.1. Development Plan

Chapter 4 of the South Dublin County Development Plan 2016 – 2022, refers to Economic Development and Tourism and Chapter 11 refers to Implementation. Greenogue Industrial Estate is zoned '*EE- To provide for enterprise and employment related uses*' on Map 4 of the Plan.

The Greenogue Industrial Estate is noted as being a large industrial campus comprising a mix of warehousing and manufacturing facilities in Section 4.1.1. Economic and Tourism (ET) Policy 3 Enterprise and Employment (EE) is applicable. The overarching policy of the Council is '*to support and facilitate enterprise and employment uses (hightech manufacturing, light industry, research and*

development, food science and associated uses) in business parks and industrial areas'.

ET3 Objective 5 states:

To ensure that all business parks and industrial areas are designed to the highest architectural and landscaping standards and that natural site features, such as watercourses, trees and hedgerows are retained and enhanced as an integral part of the scheme.

Chapter 11 includes the land use zoning matrix which notes that Refuse Transfer Stations are permitted in principle. Section 11.2.5 notes that '*Most industrial estates are characterised by large functional buildings that are set back from the street, extensive areas of hard surfacing and security fences*'. Table 11.18 identifies the Key Principles for Development within Enterprise and Employment Zones, covering Access and Movement, Open Space and Landscape, and Built Form and Corporate Identity. Built form and Corporate Identity are relevant to the subject appeal. It is stated:

Building heights respond to the surrounding context with transitions provided where necessary and reinforce the urban structure with taller buildings located along key movement corridors, gateways and nodes.

Individual buildings should be of contemporary architectural design and finish (including use of colour). Various treatments should be employed to reduce the bulk, massing and scale of larger buildings.

The layout and design of buildings maximise frontages onto the public realm and enclose private external spaces (such as service yards and car parks) and storage areas behind them.

Signage should be simple in design and designed to integrate with architectural feature and/or the landscape setting (see also Section 11.2.8 Advertising, Corporate Identification and Public Information Signs).

5.2. Natural Heritage Designations

There are no designated areas in the vicinity. The Poulaphouca Reservoir SPA (Site Code 004063) is 14km due south of the Industrial Estate and the Glenasmole Valley SAC (Site Code 001209) is c.9km south-east.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal against the decision to refuse permission by the planning authority has been lodged. In summary, it states:

- Applicant is mindful of site's planning history and the Council's emphasis on the need to protect the visual amenity of the area.
- Subject application has sought to address the visual amenity by rearranging the accommodation as shown on the drawings.
- Photomontages also accompany the application showing the existing view and proposed view. Proposed single storey significantly reduces the visibility of the offices from Grants Way. The cladding gives structures a permanent external finish in keeping with the main building. Removal of the stairs and signage will improve the aesthetic appearance.
- Appeal against Reason no.1:
 - Application is materially different to previous applications yet it was refused on the same grounds. Council's assessment does not adequately consider the improvements.
 - Single storey reduces the height, cladding will ensure appearance is in keeping with existing structure.
 - Reason citing standalone nature and prefabricated nature of the structures does not justify a reason for refusal – there are numerous standalone structures in Greenogue.
 - It is not feasible to relocate the structures within the operations yard – company's experience is that a strong delineation should be maintained.

- Policy ET3 Objective 5 does not specify that any buildings should be of a permanent construction nor does it preclude prefabricated structures. The modified layout will be similar and indistinguishable from a permanent structure.
- 10 plates included in appeal demonstrate that the area is industrial in character comprising buildings with flat roofs, cladding, loading docks, cranes, machinery etc.
- Appeal against Reason no.2:
 - Applicant rejects assertion that development would set an undesirable precedent - each case is assessed on its merits.

6.2. **Planning Authority Response**

The planning authority confirmed its decision and noted that the issues raised in the appeal have been covered in the Planner's Report.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Standalone Building and Design
- Appropriate Assessment

7.2. **Standalone Building and Design**

The planning history of the site indicates that the original permission for the waste transfer facility, granted in 2002, included for offices to be developed internally within the main industrial building. The planning authority since that date have provided only temporary permissions subsequently for the prefabricated offices to be external to the main building. I am satisfied that ancillary offices are an acceptable land use in this location.

With respect to the subject appeal I am of the opinion that the two questions to be addressed are: 1) Whether or not the offices are acceptable as a separate entity to the main building, and 2) Is the current proposal designed to the highest architectural standards and of a contemporary design and finish, in accordance with the Plan objectives.

The Greenogue Industrial Estate is a large estate comprising large scale industrial warehouse and portal frame type buildings. It has evolved to accommodate a variety of different types of development but notably development of an industrial character comprising large areas of hard surfaced yards for storage of construction type equipment, cabins, forklifts, trucks, etc. particularly at the northern end of the site. This equipment is clearly visible from the roads through the boundary railings. Other industrial buildings towards the front of the estate would appear to have open areas to the rear of the buildings, as well as parking to the rear – which is in keeping with the policies of the Council. Throughout the estate the external public realm is good with the grass verges and roadside being well maintained.

Having visited the site, I accept that for operational and health and safety purposes, it is preferable to locate the offices separate to the main waste facility. However, the offices have now been in place for over a decade and I share the concerns of the planning authority with respect to the current visual impact the temporary buildings are having on the area. The applicant has been provided ample opportunity to address the situation and I would have concerns with respect to the current arrangement continuing. I note that a condition of the last permission, granted by the Board, is that the temporary units are to be removed after two years. The condition did not provide an opportunity for the applicant to reapply for permission prior to the ending of the two years – it expressly stated that the units should be removed.

Notwithstanding the above, I accept that the applicant is now proposing a revised layout. I do however, have concerns that the units would represent a substandard form of permanent development. The applicant states in the appeal that the offices are used by 5 permanent staff and are used as 'hot desks' for sales, IT and other staff. It is also stated that approximately 30 drivers based at the facility, which runs 24 hours a day, avail of the canteen and toilets. I would have concerns that the three standalone units, as proposed, represent a substandard form of permanent office, canteen and toilet development and are not of the highest architectural design and

standards as required by the Plan. I accept the applicant's assertion that the policies of the Plan do not insist on permanent or preclude prefabricated units, however, having visited the site, the units are of a 'portacabin' type design which by their very nature are meant to be 'temporary' and not of a contemporary architectural design.

In conclusion, to answer the questions I posed, I am satisfied that the principle of offices as a separate entity to the main operational building, in this location and in these particular circumstances, is acceptable, however, the currently proposed design, form and layout is substandard and piecemeal for what will be a permanent facility for the staff. It is not of a contemporary architectural design or of the highest standards as required by the Plan. I am of the opinion that a better layout and form can be achieved providing a more cohesive design, rather than trying to simply rearrange and clad what was intended to be a temporary development.

7.3. Appropriate Assessment

Having regard to the nature and scale of development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission should be refused for the reasons and considerations as set out below.

9.0 Reasons and Considerations

Having regard to the Enterprise and Employment zoning objective for the area, it is considered that the proposal as presented would constitute a substandard form of development which would seriously injure the amenities of the area.

The proposed development would be contrary to the stated policy of the planning authority, as set out in the current Development Plan, to ensure that all business parks and industrial areas are designed to the highest architectural standards and

would, therefore, be contrary to the proper planning and sustainable development of the area.

Ciara Kellett
Inspectorate

22nd November 2016