



An  
Bord  
Pleanála

## Inspector's Report PL06S249246.

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<b>Development</b>	Permission for the construction of a stone and aggregate containment enclosure to cover currently exposed stockpiles and all associated site works.
<b>Location</b>	Monastery Road, Clondalkin, Dublin 22.
<b>Planning Authority</b>	South Dublin County Council.
<b>Planning Authority Reg. Ref.</b>	SD17A/0196.
<b>Applicant(s)</b>	Siac Construction Ltd
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant permission subject to conditions.
<b>Type of Appeal</b>	First Party v condition
<b>Appellant(s)</b>	Siac Construction Ltd
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	5 <sup>th</sup> December 2017
<b>Inspector</b>	Bríd Maxwell

## **1.0 Site Location and Description**

1.1. The appeal site has a stated area of 0.0618 hectares is located within the established SIAC construction site to the south of Monastery Road in Clondalklin Dublin 22. The site is located within a former limestone quarry pit which is now in use for the processing of aggregate materials for the construction sector including an asphalt plant. The site is adjacent to the Siac headquarters building at Dolcain House, an office building of up to 5 storeys in height with basement and undercroft parking, surface parking and associated landscaped areas. The site is circa .7km northwest of the N7 / M50 Red Cow interchange.

## **2.0 Proposed Development**

2.1. The application seeks permission for the construction of a stone and aggregate containment enclosure measuring 618sq.m with an external height of 13.4m. The enclosure is intended to cover currently exposed stockpiles on the site. The stated purpose of the containment enclosure is to further suppress the levels of dust on site. Currently the exposed stockpiles are watered down as required to minimise the amount of dust that results from the ongoing site production. This enclosure will also be fitted with dust suppression sprinklers to hose down vehicles on exit, minimising the amount of dust on site insofar as is practical.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

South Dublin County Council issued its notification of decision to grant permission by order dated 14/8/2017 and 9 conditions were attached.

Condition 2 was "The external height of the proposed containment enclosure shall not exceed 10 metres" Reason: In the interest of visual amenity.

Condition 9 requires the payment of a development contribution of €4,635 in accordance with development contribution scheme.

## 3.2. Planning Authority Reports

### 3.2.1. Planning Reports

Planner's report contends that there is no justification for the 13.4m height which is considered excessive. Recommends that a condition apply restricting height to maximum of 10m.

### 3.2.2. Other Technical Reports

Water Services Report seeks additional information regarding surface water attenuation.

Irish Water submission indicates no objection subject to conditions.

## 4.0 Planning History

There is an extensive planning history on the overall site of which the appeal site forms part including the following:

**SD13A0054** Dolcain House, Monastery Road Clondalklin. Permission granted for a set of powered sliding gates, new traffic island and revised kerb layout on the entrance roadway within the SIAC head office site to control vehicular access.

**PL06S237700 SD10/0064** Permission for 346 residential units, retail units, commercial use (non-retail), crèche, cafe/restaurant, car parking, vehicular access, modifications to roundabout junction (10-year permission)

**SD08A/616** Construction of 258m<sup>2</sup> additional office accommodation at fifth floor level set back from the existing parapet and an additional enclosed escape staircore to the south elevation of the existing extension to Siac HQ

**SD06A/1072** 4 storey extension over undecroft parking that it connected to the existing Siac HQ building on its southern elevation.

**SD99A/0023** Office and Science and Technology 4 storey addition linked by a glazed atrium to the existing 4 storey offices.

## 5.0 Policy Context

### 5.1. Development Plan

The South Dublin County Development Plan 2016-2022 refers. The site is zoned “Res -To protect and / or improve Residential Amenity,”

### 5.2. Natural Heritage Designations

There are no Natura 2000 sites within 5 km of the appeal site. The closest designated sites are those in Dublin Bay. There is no AA assessment on file but as the works would have no significant run-off or other relevant effect outside the boundaries of the site I do not consider there would be any possibility of an effect on the conservation status of an EU site so a stage 2 Natura Impact Statement would not be necessary.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal are submitted by Clarke & Co Engineer’s Architects on behalf of the first party. The appeal relates solely to condition 2 and grounds of appeal are summarised as follows:

- The length of truck that offloads the aggregate varies from 20ft to 40ft truck.
- Building is designed for a tipping 40 ft. truck which requires a clear working height of 12.5m. Taking into consideration the build of the roof structure a design height for the containment enclosure of 13.4m is proposed.
- Separation distance from all housing areas is in excess of 100m and there is significant screening between the structures and properties in the vicinity.
- Proposed development will have a negligible effect on the amenities of the area or properties in the vicinity.
- Should the Board wish the applicant to use a green colour cladding to blend with the tall trees, this can be provided.

## 6.2. **Planning Authority Response**

The Planning Authority confirms its decision.

## 7.0 **Assessment**

7.1. The appeal relates solely to condition 2 of the decision of the Council and I am satisfied that consideration of the case may be confined to the condition under appeal.

7.2. Condition 2 requires that “The external height of the proposed containment enclosure shall not exceed 10 metres”. The condition was imposed in the interest of visual amenity. The first party has within the grounds of appeal set out a justification for an overall height of 13.4m on the basis that the structure is designed to provide for a tipping 40-foot truck. Drawing no 5094-01-ABP-100 submitted with the appeal depicts in detail the site’s visibility from the surrounding area. I am satisfied that having regard to the location of the site, distance from adjacent residential areas and established site screening, the impact of the proposed structure will not detract from the visual amenities of the area and on this basis I consider that the condition 2 is unnecessary.

## 8.0 **Recommendation**

Having regard to the foregoing I recommend that the planning Authority be directed to remove condition 2.

### **Reasons and Considerations**

In light of the established use and character of the site, distance from adjacent residential properties and having regard to the intended purpose of the enclosure, it is considered that the proposal building would not by reason of its height detract from the visual amenities of the area and therefore the said condition 2 is unnecessary.

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Brid Maxwell  
Planning Inspector  
15<sup>th</sup> December 2017

