



An  
Bord  
Pleanála

## Inspector's Report ABP307865-20

---

<b>Development</b>	Change of use of industrial building to craft brewing facility and additional internal floor area of 80m <sup>2</sup> . Development includes tasting area, visitor area, storage, lab, offices and plant room.
<b>Location</b>	Unit 26 Corrig Road, Sandyford Business Park, Dublin 18.
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council.
<b>Planning Authority Reg. Ref.</b>	D20A/0356
<b>Applicant(s)</b>	Carlow Brewing Company
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse.
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Carlow Brewing Company.
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	5 <sup>th</sup> February 2021
<b>Inspector</b>	Hugh Mannion

## 1.0 Site Location and Description

1.1. The application site has a stated area of 0.2ha and comprises a commercial building and attendant car parking area at unit 26 Corrig Road, Sandyford Business Park, Dublin 18. The existing building appears to be unused. The area is predominantly commercial/office in use but there is significant residential use within the overall area designated as a business park. There is a small park to the north of the application site at the junction of Corrig Road and Carmanhall Road and Stillorgan and Sandyford Luas stops within a short walk of the site.

## 2.0 Proposed Development

2.1. The proposed development comprises;

- Change of use of a vacant industrial building to a craft beer brewing facility and an additional 80m<sup>2</sup> internal first floor,
- The total floor area will be 703m<sup>2</sup> and includes a craft brewing area, visitor area (bar/restaurant services),
- Viewing platform, storage, laboratory, staff room, office and plant room,
- Outdoor seating area, 10 parking spaces, 20 bike spaces.

2.2. All at unit 26 Corrig Road, Sandyford Business Park, Dublin 18.

## 2.3. Planning Authority Decision

2.4. Decision – refuse permission

1. The application site is zoned for open space and ancillary activities and the proposed development would materially contravene the zoning objective in

the County Development Plan where the proposed use is not permissible in principle.

2. The proposed development does not comply with specific objective 119 in the Development Plan to create a District Civic Park.

## 2.5. Planning Authority Reports

### 2.5.1. Planning Reports

### 2.5.2. Other Technical Reports

**Drainage Planning Section** requested additional information in relation to the surface water management arrangements and the layout of car parking areas.

**Environmental Health Officer** recommended grant of permission subject to conditions.

**Irish Water** reported no objection subject to conditions.

## 3.0 Planning History

No relevant planning history for the application site.

Under ABP300743-18 permission was granted on appeal for a partial change of use from office to use as a gym within the existing building at 28 Corrig Road, Sandyford Business Park, Dublin 18.

## 4.0 Policy and Context

### 4.1. Development Plan

- 4.2. The Dun Laoghaire Rathdown County Development Plan 2016-2022 is the relevant County Development Plan for the area.

- 4.3. Appendix 15 of the County Development Plan comprises the Sandyford Urban Framework Plan. The relevant objectives are:

**4.4. Objective F3**

4.5. It is an objective of the Council to develop a Sandyford Business District Civic Park (circa 0.8ha of public open space). A balance will be struck in the design and the layout of this park between the smart, civic quality of an urban square, and the casual, spontaneous nature of a residential area. This will include significant water features, a high degree of sculptural influence, play opportunities, including those for children's play, hard & soft landscape features and extensive tree planting (Map 1, SLO 119).

**4.6. Objective F4**

4.7. It is an objective of the Council to provide public open space for active and recreational uses as identified on Drawing No. 10. The Local Authority will actively pursue the provision of this public open space. This public open space will be funded in accordance with the Development Contribution Scheme adopted for the Plan area.

**4.8. Objective F5**

4.9. It is an objective of the Council to facilitate the provision of a series of pocket parks/urban plazas to be used for small scale localised recreation. These public open spaces may be themed so as to provide a variety of experiences (e.g. landscaped or small active recreational facility). These parks provide break out areas along the Green Routes. (Map 1, SLO 121)

**4.10. Natural Heritage Designations**

4.11. Not relevant.

**4.12. EIA Screening**

4.13. Having regard to the nature of the proposed development, the location of the application site in a built up urban area where public water supply and foul drainage are available and to the foreseeable emissions from the proposed development it is considered that the proposed development would not give rise to likely significant impacts on the environment in accordance with the EIA Directives and that the necessity for an EIAR and carrying out of an EIA can be ruled out at preliminary consideration stage.

## 5.0 The Appeal

### 5.1. Grounds of Appeal

- The proposed development is a craft facility which complies with the zoning objective for the site. The application includes a microbrewery with a water demand of 4,120 litres/day.
- Other planning authorities have accepted the principle of microbreweries in comparable circumstances.
- The site is zoned open space and craft centre/craft shop is open for consideration on lands zoned open space.
- The planning authority have not demonstrated a willingness/ability to purchase this site and the adjoining sites so as to realise the objective of creating a park.

### 5.2. Planning Authority Response

- The Sandyford Framework Plan is a democratically adopted plan for the area aimed at managing public and private infrastructure investment.
- The objectives SLO119, F3 and F4 explain the detail of the zoning objective.
- The proposed park is designated to serve a mixed-use neighbourhood, including residential uses, provided for in the Framework Plan.
- The park will be one of only a few such facilities in the area.
- The planning authority seeks to acquire lands by agreement as well as through CPO.

### 5.3. Observations

- None

## 6.0 Assessment

- 6.1. The site is zoned 'Open Space' in the Sandyford Urban Framework Plan. Community facilities, open space, playgrounds, sports facilities and travellers' accommodation are permitted in principle in this zone. Having regard to the nature of the proposed development as a commercial venture I conclude that it is not permitted in principle in this zone.
- 6.2. The uses that are open for consideration are; carparks, cemetery, craft centre/craft shop, childcare service, crematorium, education, garden centre/plant nursery, gold facility, guest house, place of worship, public services and tea rooms/café. The applicant makes the case that the proposed development should be considered a craft centre and states that microbreweries are acceptable in comparable zonings in other planning authority areas.
- 6.3. The County Development Plan includes a glossary of terms which includes a definition of craft centre/craft shop as a "building or part thereof typically having one or more workshops, an exhibition gallery and a shop". I consider that the scale of the proposed development and the proposed uses, especially the brewing and associated offices, laboratory and storage, and bar/restaurant are not 'craft' uses as envisaged by the County Development Plan. I note the examples in other planning authority areas documented by the applicant, however each planning authority may designate uses applicable to their zoning objectives and I consider that in this case reliance should be placed on the zoning objective set out in the current Dun Laoghaire Rathdown County Development Plan to determine the uses acceptable/open for consideration in particular zones. This application is distinguishable from the nearby application (ABP300743-18) as that comprised a change of use to a gym which is a permitted use within this zone.
- 6.4. The County Development Plan includes a specific objective number 119 (in chapter 9) "to develop a Sandyford Business District Civic Park at the corner of Corrig Road and Carmanhall Road". This objective is mapped as open space in in the Amenity Open Space Drawing (drawing number 10) and the 'Wayfinding' drawing number 12 attached to the Sandyford Urban Framework Plan. I agree with the points made by the planning authority that there is a clear strategy set out in the County Development Plan and accompanying maps for the creation of an open space within

a broader network of open spaces and pedestrian ways which will enhance the amenity of the area. It may be further noted that adjoining lands are zoned for residential uses in the Framework Plan.

- 6.5. In relation to the applicant's point that the planning authority has not initiated the CPO procedure in relation to the application site it is reasonable to afford planning authorities a period within which to give effect to objectives set out in County Development Plans. It may be noted that the county development plan is 5 years old in the current year and that the existing permitted use on the application site is not impacted by the outcome of this application.
- 6.6. The applicant makes a further point that the proposed development will place a relatively low demand on the public water supply. I note that Irish Water has not objected to the proposed development but having regard to the substantive reason for refusal set out below I recommend that it is not necessary to pursue this point.
- 6.7. Additionally, I note the planning authority's internal reports referencing the layout of car parking spaces and disposal of surface water. I consider that these matters may be adequately addressed by condition in the event of the Board deciding to grant planning permission.
- 6.8. **Appropriate Assessment Screening.**
- 6.9. The planning authority concluded that in the absence of further detail in relation to the effluent treatment system that it was not possible to conclude that the proposed development would not be likely to have a significant effect on a European Site.
- 6.10. The application did not include an AA Screening Report. Irish Water reported no objection and the water demand (given by the applicant) from the proposed development is relatively low 4,120 l/day. The application site is located within a built-up urban area where public water supply and sewerage is available. Nevertheless, in light of the absence of detail on the quality of the effluent proposed to be discharged to the public sewerage system and the capacity of that system to accommodate the discharge it is not possible to conclude that proposed development will not have a significant effect on a European site.

## 7.0 Recommendation

7.1. I recommend refusal.

## 8.0 Reasons and Considerations

The application site is zoned for open space in the Dun Laoghaire Rathdown County Development Plan 2016 to 2022 and the Sandyford Urban Framework Plan (appendix 15) includes objectives to facilitate the provision of a series of pocket parks/urban plazas to be used for small scale localised recreation as part of a green routes scheme. These objectives are considered reasonable. It is considered that the proposed development would frustrate the provision of a public park provided for in the Plan, would materially contravene the objectives for the site set out in the County Development Plan and would, therefore, be contrary to the proper planning and sustainable development of the area.

---

Hugh Mannion  
Senior Planning Inspector

8<sup>th</sup> February 2021.