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Land Use, Planning & Transportation Department
South Dublin County Council
County Hall
Tallaght
Dublin 24
D24YNN5

Our Ref: 3513

4th July 2021

Re: Planning Application [Reg.Ref. SD21A/0140] from Exeter Property IV C Ltd for PERMISSION for the construction of one warehouse with ancillary office and staff facilities and associated development at Block 4, Jordanstown Road, Aerodrome Business Park, Rathcoole, County Dublin and your email of the 25th June 2021.

Dear Mr. Walsh,

The approach of the Health and Safety Authority (the Authority) to Land-use Planning is set out in the document 'Policy & Approach of the Health and Safety Authority to COMAH Risk-based Land-use Planning'. It is available from our website at:

https://www.hsa.ie/eng/Your_Industry/Chemicals/Legislation_Enforcement/COMAH/Land_Use_Planning/.

The document should be consulted to fully understand the advice given in this letter.

In that context and the Authority remit, in respect of this specific application the following points are relevant:

1. The application is covered by Regulation 24(2) (b) of S.I. 209 of 2015
2. On the basis of the information supplied, the Authority **DOES NOT ADVISE AGAINST** the granting of planning permission in the context of major accident hazards.
3. The advice is only applicable to the specific circumstances of this proposal at this period of time.
4. Future development around COMAH establishments has the potential to impact on the expansion of those establishments.

If you have any queries please contact the undersigned.

Yours sincerely

Tara Horigan
Inspector,
COMAH, Chemical Production & Storage (CCPS)

Encl: Note on the Approach of the HSA to the Provision of Land-use Planning Advice

Note on the Approach of the HSA to the Provision of Land-use Planning advice.

The Authority, acting as the Central Competent Authority under the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. 209 of 2015), gives technical advice in response to a notice sent by a planning authority under Part 11 of the Planning and Development Regulations 2001-2015. Under Regulation 24(2) of S.I. 209 of 2015, the technical advice on the effects of a proposed development on the risk or consequences of a major accident relates to the following types of developments within the consultation distance for an establishment:

- (a) the siting and development of new establishments;
- (b) modifications to establishments of the type described in Regulation 12(1);
- (c) new developments including transport routes, locations of public use and residential areas in the vicinity of establishments, where the siting, modifications or developments may be the source of, or increase the risk or consequences of, a major accident.

The advice given is for the purposes of assessing new development only. A full explanation of the Authority's Land Use Planning advice system can be found at https://www.hsa.ie/eng/Your_Industry/Chemicals/Legislation_Enforcement/COMAH/Land_Use_Planning/.

Your attention is drawn to Regulation 24(3) of S.I. 209 of 2015:

(3) The technical advice provided by the Central Competent Authority to a planning authority pursuant to paragraph (2) may be generic or case specific in nature and shall be so formulated that it will assist the planning authority to take into account the need, in the long term—

- (a) to maintain appropriate safety distances between establishments covered by these Regulations and residential areas, buildings and areas of public use, recreational areas, and, as far as possible, major transport routes;*
- (b) to protect areas of particular natural sensitivity or interest in the vicinity of establishments, where appropriate through appropriate safety distances or other relevant measures; and*
- (c) for the operator to take additional technical measures, in the case of existing establishments, in accordance with Regulation 7, so as not to increase the risks to human health and the environment.*

In giving its advice the Authority does not deal with routine emissions. Such emissions will be subject to EPA or Local Authority scrutiny and control.

The operator of an establishment covered by S.I. 209 of 2015 is also required to take all necessary measures to prevent major accidents occurring and to limit the consequences of any such major accidents for human health and the environment