

ENVIRONMENTAL HEALTH - PLANNING MEMO

Request for Further information

Date: 21st of July 2021

Register Reference: SD21A/0149

Development: Change of use from haulage yard to filling station open to the public; additional diesel pumps; palisade fencing; illuminated and non-illuminated signage; all associated site and development works.

Location: 12, Crag Avenue, Clondalkin Industrial Estate, Dublin 22

Applicant: David Nestor Freight Services Ltd.

App. Type: Retention

Planning Officer: DONAL FARRELLY

EHO: Kieran Groarke

Comments

Highlighted below are the main components of this application:

- Change of use to include filling station
- Diesel pumps
- Palisade fencing
- Illuminated and non-illuminated signage
- Associated site works

It is noted that a planning application was recently submitted in May of this year for this location, reference SD21A/0060. This application included some of the items listed in the subject application. The Environmental Health Department expressed concerns at the time with regard the proposed floodlights and its potential impact on the nearby receivers adjacent the boundary of the site to the West. The application was subsequently refused by planning for a range of issues.

The subject site at 12 Crag Avenue has been the source of multiple complaints received by the Environmental Health Department over the past number of years. These complaints relate mainly to a host of noise generating activity which is conducted on the site to include:

- Movement of trucks
- Stacking and moving of shipping containers around the site
- Noise from reversing of trucks and forklift used for moving the containers
- Light spillage onto residential properties

Environmental Health note the site has been substantially developed beyond the addition of diesel pumps, fencing and signage as noted in the subject application. The subject site is primarily used for loading and unloading of large shipping containers as part of operations by David Nestor Freight Services. The site is located adjacent to residential properties to the West of the site. The movement and storage of shipping containers does not appear to be included in the subject application. In addition the floodlights that were of previous concern to this department do not appear to be included in this application. Further clarification is required on these two items in order to allow the Environmental Health Department to make a full and representative assessment of the site in its entirety.

It is understood there are currently two outstanding planning enforcement notices [Reference S8268] on this site which relate to the unauthorised change of use of the site to a shipping container collection storage use and the unauthorised works to the site which include hardcore extension, footpaths and floodlights.

The Environmental Health Department express strong concern for the subject application in light of the history of complaints associated with this site. The main concern is with regard to noise impact on the nearby residents to the West of the site. The subject proposal for a petrol filling station has already increased the volume of truck movement at this location. This is contributing to the noise impact on the adjacent residential properties. This is likely to lead to further complaints being received by the Environmental Health Department in the future.

Request for Further information

The proposal is not acceptable to the Environmental Health Department until the following information is submitted and assessed.

1. An acoustic assessment must be undertaken by a suitably qualified acoustic consultant describing and assessing the impact of noise emissions from the proposed alterations to include the accumulative noise impact from existing on-site activities. The investigation must include, but not be necessarily limited to, the following:
 - (a) The identification of any neighbouring noise sensitive receivers who may be potentially impacted by the proposal
 - (b) The identification of all operations conducted onsite as part of the development proposal that are likely to give rise to a public nuisance for the neighbouring noise sensitive receivers.

- (c) Distances between the development and the nearest noise sensitive receiver and the predicted level of noise (L_{Aeq}, 15min) from any development activities when assessed at the boundary of that receiver.
- (d) An assessment of the existing background (LA₉₀,15 min) and ambient (L_{Aeq},15 Min) acoustic environment at the receiver locations representative of the time periods that any noise impacts may occur.
NOTE: For the purposes of the assessment background noise includes; noise of the surrounding environment excluding all noise sources currently located on-site.
- (e) A statement outlining any recommended acoustic control measures that should be incorporated into the development to ensure the use will not create adverse noise impacts on the occupiers of any neighbouring noise sensitive properties



Kieran Groarke
Environmental Health Officer
21st of July 2021



Fiona Byrne
Senior Environmental Health Officer