

ENVIRONMENTAL HEALTH - PLANNING MEMO

Further Information received

Date: 14th of February 2022

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: David Nestor Freight Services, Crag Avenue Business Park, Clondalkin, Dublin 22.

Applicant: EMO Oil Limited

App. Type: Retention

Planning Officer: CONOR DOYLE

Date Received: 19-Jan-2022

Decision Due: 15-Feb-2022

Comments

Highlighted below are the main components of this application:

- Change of use to include automated filling station – 24 hour operation
- 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 three outstanding planning enforcement notices 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 expressed concerns for the subject application in light of the history of complaints associated with the Crag Avenue site. An acoustic report was therefore requested and submitted by Irwin Consulting on behalf of the applicant.

Request for Further information

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

The applicant has submitted an acoustic assessment conducted by Irwin Consulting dated the 14th of January 2022. The Environmental Health Department raise the following queries which must be addressed and clarified in detail within an amended acoustic report.

- The acoustic report raises some confusion regarding the background night time noise level. The acoustic report (page 8) refers to night time background noise levels however figure 3 heading notes these readings as “daytime background sound levels”. The report states that 48dB LA90 is the representative background noise level for the daytime period despite referencing night time levels.
- Under section 5.2 of the acoustic assessment when describing the source noise levels it is noted that HGV movements have been included within the assessment during daytime hours only. The petrol filling station is proposed to operate on a 24 hour basis and therefore the impact of truck movements during this time period must be assessed and outlined within the report.

- It is assumed that 48dB is the representative background noise level based on the monitoring carried out on-site. However this figure does not correlate with table 4 which references the night-time background level as being 54dB. Further clarification is required.
- The report makes reference to “DCC oil, Craggs Avenue” and refers to Dublin City Council as being the relevant Local Authority dealing with this application. These details must also be revised on the amended acoustic report.



Kieran Groarke
Environmental Health Officer
14th of February 2022

Tom Prendergast
Principal Environmental Health Officer