

# Comhairle Chontae Atha Cliath Theas

## PR/0515/22

### Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0057      **Application Date:** 17-Feb-2022  
**Submission Type:** New Application      **Registration Date:** 17-Feb-2022  
**Correspondence Name and Address:** Ian Maguire, Fingleton White Unit H7B, Centrepoint Business Park, Oakdrive, Dublin 12  
**Proposed Development:** The installation of 1.8 m high, 1.42 wide, 0.51m deep above ground natural gas pressure reduction cabinet and an accompanying 3.25m vent stack with all ancillary services and associated site works.  
**Location:** Mountain Park, Tallaght, Dublin 24  
**Applicant Name:** Gas Networks Ireland  
**Application Type:** Permission

(CS)

#### **Description of Site and Surroundings:**

Site Area: stated as 0.0012 ha.

#### **Site Description:**

The land comprises a grassed area located on a corner site between Mountain Park and St. Maelruan's Park. The subject site is located on a grassed area that is taken in charge and is in the ownership of SDCC and measures c.3m x c.6m. Part of the NTA Greater Dublin Network Cycle Plan is located to the west of the site. It is noted that the junction where St. Maelruan's Park and Mountain Park meet is a cul-de-sac.

#### **Proposal:**

The proposed development is for the following:

- The installation of 1.8 m high, 1.42 wide, 0.51m deep above ground natural gas pressure reduction cabinet and an accompanying 3.25m vent stack with all ancillary services and associated site works.
- Proposed works measure c.1sq.m. (as stated).

#### **SEA Sensitivity:**

No overlap identified with relevant environmental layers.

#### **Zoning:**

The subject site is zoned objective RES - *'To protect and / or improve Residential Amenity'* under the South Dublin County Council Development Plan 2016-2022.

# Comhairle Chontae Atha Cliath Theas

**PR/0515/22**

## **Record of Executive Business and Chief Executive's Order**

### **Consultations:**

*Roads Section*– no objection subject to **conditions**.

*Surface Water Drainage* – no objection subject to **conditions**.

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

*Parks Department*– Grant with **conditions**.

### **Submissions/Observations /Representations**

None.

### **Relevant Planning History**

None traced to subject site.

#### *Adjacent sites*

**SD06A/0242:** 24, St. Maelruans Park, Tallaght, Dublin 24.

Demolition of an existing single storey 50sq.m. extension to the south east of the existing two storey house and include a two storey 13.2sq.m. extension to the north east, containing kitchen and bedroom. The development will also include 1 end of terrace and 2 semi-detached, two storey dwellings, to the south east of the site. Each house will have at ground floor- kitchen, living , dining room, WC & storage and at first floor- 3 no. bedrooms, one ensuite & a bathroom. All with provisions for two car parking spaces per dwelling accessed from St. Maelruans Park and associated site development works landscaping and boundary treatments.

Decision: **GRANT PERMISSION.**

### **Relevant Enforcement History**

None found.

### **Pre-Planning Consultation**

None.

## **Relevant Policy in South Dublin County Council Development Plan 2016 - 2022**

### ***7.4.0 Information and Communications Technology***

#### **IE4 Objective 5:**

*To actively discourage the proliferation of above ground utility boxes throughout the County and to promote soft planting around existing ones and any new ones that cannot be installed below the surface to mitigate the impact on the area.*

#### **ENERGY (E) Policy 11 Service Providers and Energy Facilities**

*It is the policy of the Council to ensure that the provision of energy facilities is undertaken in association with the appropriate service providers and operators, including ESB Networks, Eirgrid and Gas Networks Ireland. The Council will facilitate the sustainable expansion of*

# Comhairle Chontae Atha Cliath Theas

**PR/0515/22**

## **Record of Executive Business and Chief Executive's Order**

*existing and future network requirements, in order to ensure satisfactory levels of supply and to minimize constraints for development.*

### **Assessment**

The main issues for consideration are as follows:

- Zoning and Council policy,
- Legal Interest,
- Residential and Visual Amenity,
- Parks & Landscaping,
- Access/Traffic,
- Services & Drainage,
- Screening for Appropriate Assessment (AA),
- Screening for Environmental Impact Assessment (EIAR),

### ***Zoning and Council Policy***

The site is located in an area which is zoned 'RES' '*to protect and/or improve residential amenity*'. '*Public Services*' such as that proposed are permitted in principle. The proposed development would be in accordance with Energy Policy 11 *Service Providers and Energy Facilities*. The development is required as part of performance and safety enhancement measures to the latest industry standards.

### ***Legal Interest,***

The applicant has submitted a letter of consent from SDCC granting consent for the use of the subject site for the proposal. It is noted that the consent is valid for a period of twelve months from date of the letter (19<sup>th</sup> Jan 2022). It is noted that the consent is conditional on no development taking place until full planning permission has been granted and the Council is in a position to enter into an appropriate agreement with Gas Networks Ireland in respect of the lands.

### ***Residential & Visual Amenity***

The applicant proposes to remove a similar obsolete gas installation on Avonbeg Road located to the north-east of the subject site. However, it is important to note that this is not located within the red line boundary relating to the subject site. The existing obsolete gas installation on Avonbeg Roads is proposed to be decommissioned and replaced with the proposed gas installation at a new location on the grass verge at the junction between Mountain Park and St. Maelruan's Park. The subject site comprises a grassed area located on a corner site between Mountain Park and St. Maelruan's Park. The subject site is located on a grassed area that is taken in charge and is in the ownership of SDCC and measures c.3m x c.6m. Part of the NTA Greater Dublin Network Cycle Plan is located to the south of the site. It is noted that the junction where St. Maelruan's Park and Mountain Park meet is a cul-de-sac.

# Comhairle Chontae Atha Cliath Theas

**PR/0515/22**

## **Record of Executive Business and Chief Executive's Order**

The application confirms the reasons for the relocation including proximity to existing buildings, footpaths and roads, potential for unauthorised third party access and Gas Networks Ireland analysis design requirements.

The proposed free standing cabinet would be approximately 1.8m in height and 1.42m in length and will be built to the boundary wall with No.24C St. Maelruan's Park to the north. The proposed free standing vent stack (flute) would be 3.25m in height. The information document submitted by Gas Networks Ireland states that the volume of gas venting is infrequent and minimal and that the vent flue directs any vented gas upwards into the atmosphere. A Gas Networks Ireland fitter carries out a visual inspection every 6 months and a full function test every 12 months.

It is considered that this proposal will not contribute to street clutter or create an obstacle for pedestrians. It is considered that it will not impact negatively on the residential amenity. **Conditions** should be attached relating to colour and maintenance.

### ***Parks & Landscaping,***

The Parks Department have issued a report recommending no objections subject to **conditions**. An extract taken from the Parks Department states the following:

### **COMMENTS:**

*In relation to the above proposed development, this section has reviewed the application and has the following comments.*

*The Public Realm Section has no objections in principle to this proposed installation of 1.8 m high, 1.42 wide, 0.51m deep above ground natural gas pressure reduction cabinet and an accompanying 3.25m vent stack with all ancillary services and associated site works at this location.*

The above from the Parks report is noted.

### ***Access/ Traffic***

The Roads Section have issued a report recommending no objections subject to **conditions**. An extract taken from the Roads Section report states the following.

*Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.*

# Comhairle Chontae Atha Cliath Theas

## PR/0515/22

### Record of Executive Business and Chief Executive's Order

#### Description

*The installation of 1.8 m high, 1.42 wide, 0.51m deep above ground natural gas pressure reduction cabinet and an accompanying 3.25m vent stack with all ancillary services and associated site works.*

#### **No Roads Objections Subject to the following conditions:**

1. *Prior to commencement the applicant shall submit a construction traffic management plan for the written agreement of the Planning Authority.
  - a. *The construction traffic management plan shall include details on the maintenance routine during the initial and operational phase of the infrastructure, in essence, the roads department would like to see proposed parking/set down location for maintenance crews.*
  - b. *No vehicle shall be allowed to park, intrude and or obstruct public footpaths during the construction and operational stage unless agreed through the construction and traffic management plan.**
2. *The developer shall ensure that the "Operator's cabinets" door/inspection panels does not intrude on the public footpath and road, therefore the developer/contractor shall make any necessary amendments to the exact location and the orientation of the proposed operator's cabinets.*
3. *The location shall take into consideration any undergrounds services, no underground services shall be impacted by the installation of the proposed vent stack.*

Considering the gas installation will be setback from the road edge and built to the wall with No.24C St. Maelruan's Park it will minimise risk of vehicle impact. Also as the gas installation will be setback from the road edge the impact of this street furniture on visual clutter will be negligible. It is considered that the above **conditions** shall be attached in the event of a grant.

#### **Services & Drainage,**

Both Irish Water and Surface Water Drainage have recommended no objections subject to **conditions**. An extract taken from the Irish Water report states the following:

*IW Recommendation:*

*No Objection*

*I Water*

*All development shall be carried out in compliance with Irish Water Standards codes and practices.*

# Comhairle Chontae Atha Cliath Theas

**PR/0515/22**

## **Record of Executive Business and Chief Executive's Order**

*Reason: In the interest of public health and to ensure adequate water facilities.*

*2 Foul*

*All development shall be carried out in compliance with Irish Water Standards codes and practices.*

*Reason: In the interest of public health and to ensure adequate water facilities.*

It is considered appropriate to attach the above **conditions** in the event of a grant.

An extract taken from the Surface Water Drainage report states the following:

*Surface Water Report: No Objection:*

*Flood Risk No Objection:*

*The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*

*All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

It is considered appropriate to attach the above **conditions** in the event of a grant.

### ***Screening for Appropriate Assessment (AA)***

An Appropriate Assessment Screening Report was submitted by the applicant and ascertained that the proposed development/excavation site is not located within or adjacent to any Natura 2000 site and there will be no direct or indirect habitat loss/deterioration or impact on key fauna species within Natura 2000 sites as a result of the proposal. Therefore, the report concludes that no Natura Impact Statement (NIS) is required.

### ***Screening for Environmental Impact Assessment (EIAR)***

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

# Comhairle Chontae Atha Cliath Theas

## PR/0515/22

### Record of Executive Business and Chief Executive's Order

#### Other Considerations

##### *Development Contributions*

- The proposed development relates to a proposed 3.25 metres high gas vent stack and cabinet.
- Assessable area is nil.

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Gas Vent stack – industrial/commercial	N/A
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.0012

#### Conclusion

Having regard to the overall design and scale of the development proposed it is considered that, subject to the conditions set out below, the proposed vent stack would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. The proposed development complies with the objectives and policies contained within the South Dublin County Development Plan 2016-2022.

#### Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

#### **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

# Comhairle Chontae Atha Cliath Theas

**PR/0515/22**

## **Record of Executive Business and Chief Executive's Order**

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Development in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.  
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. (a) Drainage - Irish Water.
  - (i). All development shall be carried out in compliance with Irish Water Standards codes and practices.
  - (ii). All development shall be carried out in compliance with Irish Water Standards codes and practices.
  - (iii). The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
  - (iv). All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.
  - (v). The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
  - (vi). There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
  - (vii). All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
- (b) Minimise Air Blown Dust.  
During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.  
REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.



# Comhairle Chontae Atha Cliath Theas

**PR/0515/22**

## **Record of Executive Business and Chief Executive's Order**

(c) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

### 3. Roads Requirements.

(1). Prior to commencement the applicant shall submit a construction traffic management plan for the written agreement of the Planning Authority.

(1)(a). The construction traffic management plan shall include details on the maintenance routine during the initial and operational phase of the infrastructure, in essence, the roads department would like to see proposed parking/set down location for maintenance crews.

(1)(b). No vehicle shall be allowed to park, intrude and or obstruct public footpaths during the construction and operational stage unless agreed through the construction and traffic management plan.

(2). The developer shall ensure that the "Operator's cabinets" door/inspection panels does not intrude on the public footpath and road, therefore the developer/contractor shall make

# **Comhairle Chontae Atha Cliath Theas**

## **PR/0515/22**

### **Record of Executive Business and Chief Executive's Order**

any necessary amendments to the exact location and the orientation of the proposed operator's cabinets.

(3). The location shall take into consideration any undergrounds services, no underground services shall be impacted by the installation of the proposed vent stack.

Reason: In the interest of proper planning and sustainable development.

4. Colour.

Both the vent stack and cabinet shall be finished in a dark green colour tone finish which harmonises with the residential context and character of the area.

REASON: In the interest of the visual amenity of the area.

5. Environmental Health.

The development shall be so operated that there will be no emissions of malodours, gas, dust, fumes or other deleterious materials, no noise vibration on site as would give reasonable cause for annoyance to any person in any residence, adjoining unit or public place in the vicinity.

REASON: To protect residential amenity.

6. Decommissioning of underground district regulating unit.

The existing gas installation on Avonbeg Road shall be decommissioned as part of this planning permission, within six weeks of commissioning of the new Unit.

REASON: In the interests of orderly development.

7. Maintenance.

The operator shall make satisfactory arrangements for the maintenance, repair and upkeep of the gas Installation in perpetuity, and shall accept responsibility for the removal of the gas Installation at its own expense, when no longer required.

REASON: In the interest of amenity and orderly development.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.


**Comhairle Chontae Atha Cliath Theas**

**PR/0515/22**

**Record of Executive Business and Chief Executive's Order**

**REG. REF. SD22A/0057**


**LOCATION: Mountain Park, Tallaght, Dublin 24**

  
\_\_\_\_\_  
**Jim Johnston,**  
**Senior Executive Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date:**

13/4/22

  
\_\_\_\_\_  
**Eoin Burke, Senior Planner**