

An Bord Pleanála
64 Marlborough St,
Rotunda,
Dublin 1,
D01 V902
27th April 2022

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RE – 313129: Former Chadwick's Builders Merchant development, South of Greenhills Road, North of the existing access road serving Greenhills Industrial Estate, Walkinstown, Dublin 12 (www.greenvaleshd.com).

We wish to make a submission to the current SHD application at Ref 313129 - Former Chadwick's Builders Merchant development, South of Greenhills Road, North of the existing access road serving Greenhills Industrial Estate, Walkinstown, Dublin 12 (www.greenvaleshd.com).

Our premises, Brennans Bakery neighbours the site of this SHD application. The proposed development has the potential to seriously injure the continued operations of our facility which has been operating at this location for 45 years. Brennans Bakery is a significant employer in the area, employing over 180 direct employees and engaging c. 170 distributors. Brennans Bakery, it's employees and distributors are significant contributors to the local economy.

The area which it is proposed to redevelop is zoned for industrial purposes primarily and it's located in an established area populated by industrial uses and buildings. Placing a residential development within an established and existing industrial area would be completely incongruous and out of keeping with its surroundings.

It is, as we understand it, an important principle of planning practice to segregate uses, such as industrial activity, which may damage more sensitive uses such as residential, into separate areas. This important principle is to ensure that areas are developed appropriately.

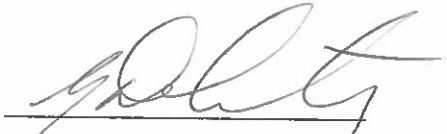
It is of concern to us that new residents of this proposed development may object to established activities of our business in the future. They may object, for example, to our present traffic movements, particularly if a creche is developed as proposed.

We are particularly concerned that with the introduction of residential development in such close proximity to our existing facility that it will give rise to noise complaints from residents. These complaints could lead to an enforcement action on Brennan's Bakery which has the potential to affect our ability to trade. We enclose report from Amplitude Acoustics which outlines these concerns in detail.

The development opens up the potential for conflict between the residential and industrial uses. In such case, it is submitted that the zoning decrees that the industrial use is paramount. Accordingly, we call upon an Bord Pleanála to refuse permission for this unacceptable development.

We enclose €20 observation fee.

Regards



Gareth Doherty

Managing Director

Wednesday, 27 April 2022

Project number: D220418

Reference: D220418PL1

Joseph Brennan Bakeries,
Greenhills Industrial Estate,
Walkinstown,
Dublin 12

Brennan's Bread Manufacturing Facility Acoustic Review

1 Introduction

Amplitude Acoustics were engaged by Joseph Brennan Bakeries, to review the impact on their noise emission compliance of the proposed new Greenvale mixed used development proposed for Greenhills Road, Greenhills Industrial Estate, Walkinstown, Dublin 12. The new development is proposed for the Greenhills Industrial Estate directly across from the entrance to the Brennan's Bakery.

The Brennan's bread factory which is in operation on the site since the summer of 1977, operates 7 days a week 24 hours a day with lorries collecting and exiting the facility including during the night-time period. As part of the noise strategy for the bakery the noisy activities have been located on the North of the facility to keep the noisy activities away from the existing NSL's (noise sensitive receptors). The noise sources on the North of the development include the main haulage road into the bakery (directly across from the new SHD), noise from truck movements, loading, silo loading, van movements, reversing sirens, mechanical plant and equipment.

Brennan's are concerned that the completion of the new Greenvale SHD development will impact on their ability to comply with their noise emission requirements and that this has not been sufficiently dealt with within the planning application for the new Greenvale SHD. There is a concern that the noise from the bakery could give way to complaints which may lead to an enforcement notice and/or closure of the bakery.

We understand that the proposed Greenvale SHD development will include the following:

" (i) The demolition of the former Chadwicks Builders Merchant development comprising 1 no. two storey office building and 9 no. storage/warehouse buildings ranging in height from 3 m – 9.9 m as follows: Building A (8,764 sq.m.), Building B (1,293 sq.m.), Building C (two-storey office building) (527 sq.m.), Building D (47 sq.m.), Building E (29 sq.m.), Building F (207 sq.m.), Building G (101 sq.m.), Building H (80 sq.m.), Building I (28 sq.m.), and Building J (44 sq.m.), in total comprising 11,120 sq.m.; (ii) the construction of a mixed-use Build-to-Rent residential and commercial development comprising 633 no. build-to-rent apartment units (292 no. one-beds, 280 no. two-beds and 61 no. three-beds),"

2 Noise Emission Requirements

Brennan's have an obligation to ensure that the noise generated does not constitute a noise nuisance (Environmental Protection Agency Act, 1992 Section 106). It is understood that there is currently no EPA Industrial Emissions (IE) or Industrial Pollution Control (IPC) licence specific to the site. In the absence of specific licence limits appropriate noise emission criteria for the facility are typically based on the Local County Council noise limits.

2.1 Criteria

Noise limits for developments within the Dublin Agglomeration are based on the guidance and procedures of:

- EPA Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4) and
- BS 4142:2014 Methods for rating and assessing industrial and commercial sound.

This is commonly presented by Dublin Councils in the following form:

Noise created due to the operation of a premises shall not cause a noise nuisance to nearby noise sensitive location and should not exceed the background level by 10dB(A) or more or exceed the typically NG4 limits outlined below - whichever is the lesser.

- Daytime (07:00 to 19:00 hrs) – 55dB $L_{Ar,T}$
- Evening (19:00 to 23:00 hrs) – 50dB $L_{Ar,T}$
- Night-time (23:00 to 07:00 hrs) – 45dB L_{Aeq}

BS 4142: 2014 describes a method for assessing industrial, commercial and background noise levels to assess the likely effects on people who might be inside or outside a dwelling or premises used for residential purposes. BS4142 is referred to within EPA NG4 Guidance Note for Noise as the appropriate method to be adopted for complaints investigation. Notably, the standard outlines subjective and objective methods for assessing tonal and impulsive audibility. This involves applying a correction to the measured noise level of the source (L_{Aeq}) to give the rating level ($L_{Ar,T}$).

NG4 defines noise sensitive location (NSL) as :

any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other facility or other area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.

As the development has the potential to generate noise between 23:00 to 07:00 hrs during the Night-Time, a limit of **45dB L_{Aeq}** or 10dB above background is adopted as the project specific noise limit for noise sensitive locations. Using the above criteria, noise limits have been established for the proposed development using the measured existing ambient noise levels at the nearest noise sensitive locations.

2.2 Noise Complaints

Section 108 of the Environmental Protection Agency Act 1992 allows for noise complaints:

"Where any noise which is so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place, a local authority, the Agency or any such person may complain to the District Court and the Court may order the person or body making, causing or responsible for the noise to take the measures necessary to reduce the noise to a specified level or to take specified measures for the prevention or limitation of the noise and the person or body concerned shall comply with such order."

2.3 Existing Noise Sensitive Locations

Figure 1 below outlines the existing noise sensitive locations (NSLs) identified as "Residential Receivers". Currently the nearest NSLs are located to the South of the Brennan's bakery, as part of the noise mitigation strategy employed onsite most of the noisy activities as identified on Figure 1 including plant and equipment and vehicle movements have been kept to the North of the development. This has allowed for natural screening of the noise sources using the buildings on the site.

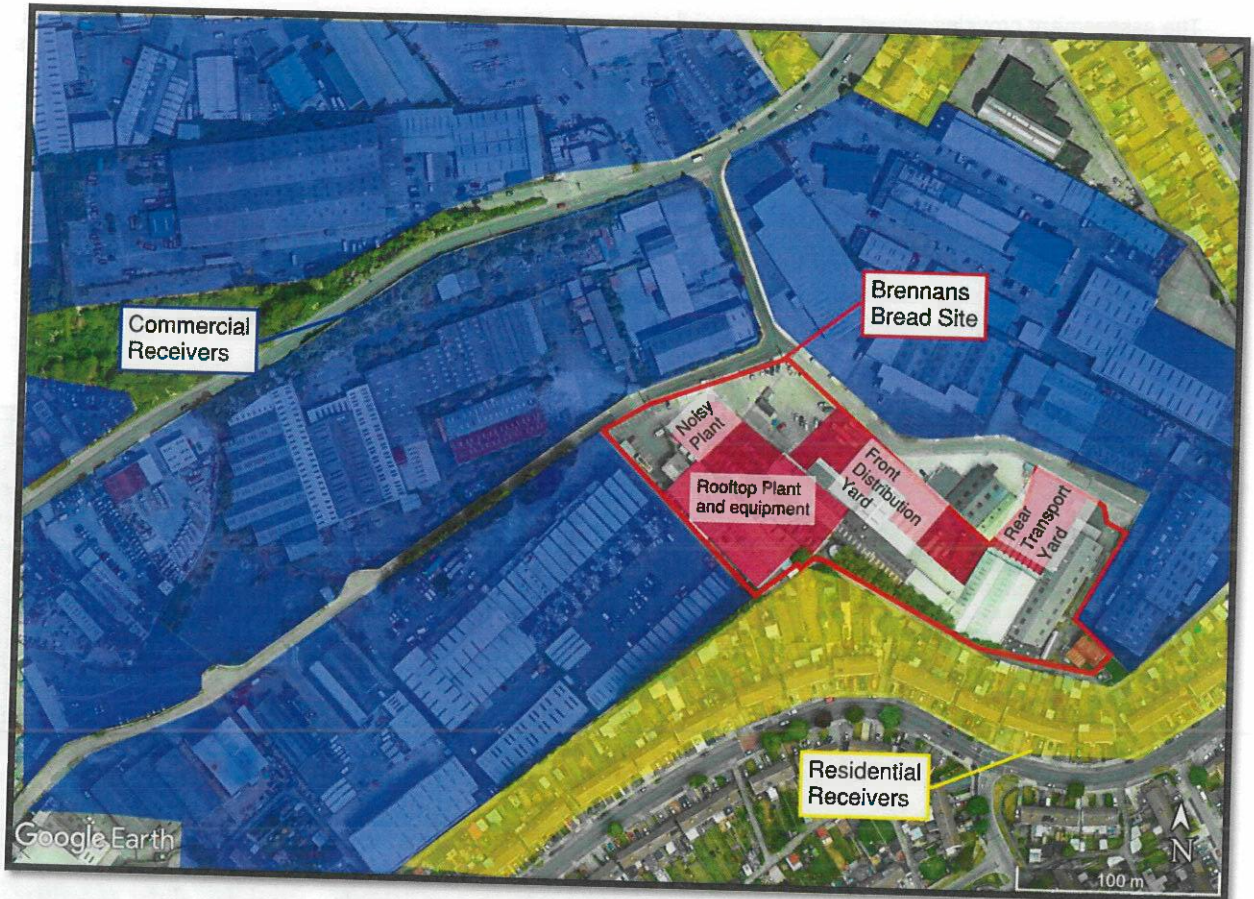


Figure 1 Existing Noise Sensitive Locations

3 Review of Planning Submission

Amplitude have conducted a review of the planning submission documentation in relation to noise. A noise assessment was undertaken by AWN Consulting as part of the Environmental Impact Assessment Report (EIAR) completed for the proposed mixed use development on Greenhills Road. The assessment considers:

- Operational noise from the new SHD development.
- Noise impact from the existing noise environment including:
 - Façade break in
- Noise from construction activities during the construction phase.
- Vibration from construction activities during the construction phase.

Mitigation measures have been specified in the assessment to ensure the receiving environment can function appropriately for the construction and operational stages of the project based on the existing noise environment.

With regard to the noise from Brennan's it was noted by AWN that noise from Brennan's was audible:

"During the attended noise survey at the proposed development site, noise from the Brennan's manufacturing facility to the south of the site was observed. The noise included steady plant noise, HGV movements, HGV air brakes and tipping noise"

The assessment provides mitigation measures and recommendations for achieving appropriate internal noise levels within the residential units. It does however not consider the noise from Brennan's in isolation i.e. its content in terms of tonality, impulsiveness and likelihood to cause a complaint.

4 Impact on Brennan's Bakery

The proposed new development in the existing industrial estate will provide additional compliance requirements on Brennan's Bread in terms of the noise emissions due to the relocation of the nearest noise sensitive receptors on the North side of the development. The current noise sensitive locations are outlined in Figure 1 above. These noise sensitive locations will change to those outlined in Figure 2 with the addition of the new development should the Greenvale SHD be constructed.

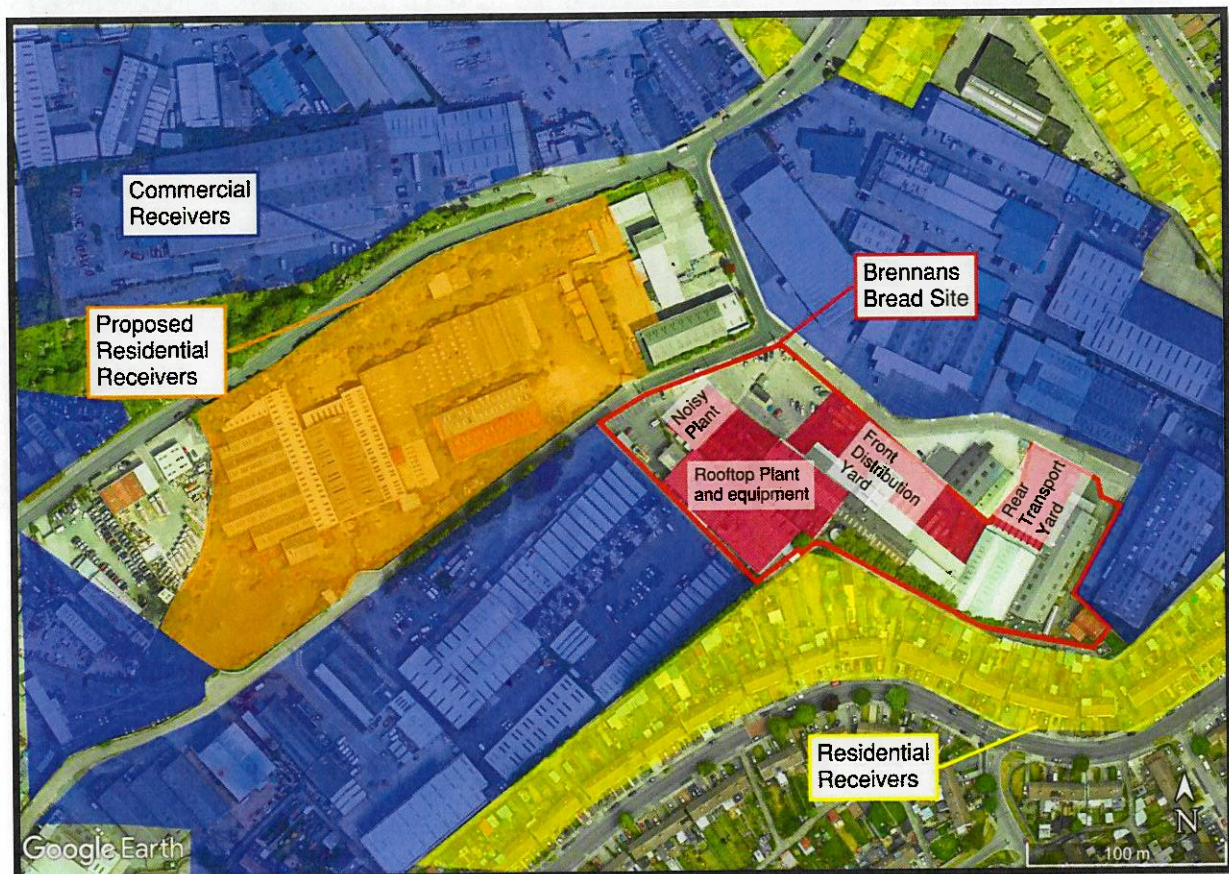


Figure 2 Future Noise Sensitive Locations

The measured noise levels and observations summarised in the AWN report indicate that the noise levels at the new noise sensitive location, due largely to local industrial activity including Brennan's Bread, significantly exceed the relevant night-time limit of L_{Aeq} 45dB typically imposed on industrial facilities. A. In addition, the observations

documented in the EIAR indicate that the source of noise includes plant noise, HGV noise from air brakes and movements, tipping noise and reversing alarm noise were evident. These noise sources commonly include tonal and impulsive components for which an additional penalty is applied to account for the adverse characteristics of such noise. Furthermore to avoid adverse noise impacts and complaints, EPA NG4 states that 'During the night-time period no tonal or impulsive noise from the facility should be clearly audible or measurable at any NSL'

The strategy for the facility to date has been to locate the noisy activities including loading and plant away from the South side of the development and on the North side where possible to minimise the noise impact on the nearest noise sensitive receptors on St James's Road. The construction of the new SHD on the North of the development will devalue the noise mitigation strategy for the Bakery, with any complaints having the potential to lead to an enforcement notice and affecting their ability to trade.

5 Summary

The new mixed use residential development, Greenvale SHD will introduce a new noise sensitive receptor to the North of the Brennan's Bread manufacturing facility. Based on the noise measurement survey undertaken by AWN it was noted that noise from the facility was audible at the proposed site, with the existing measured levels exceeding the typical night-time limits for such a facility. The noise sources included plant noise, HGV noise from air brakes and movements, tipping noise and reversing alarm noise which contain audible characteristics that EPA guidance states should not be clearly audible at noise sensitive receivers. Should the development at Greenvale proceed it will introduce a new noise sensitive location to the North of Brennan's bread:

- Into a pre-existing noise environment that has audible tonal and impulsive characteristics that in the opinion of the author are likely to generate noise complaints.
- For which the industrial noise levels will automatically exceed the typical night noise limits adopted and enforced in South Dublin County Council.
- That does not benefit from Brennan's Bread noise mitigation strategy that relocated noise sources to the North of the site, away from the existing noise sensitive locations to the south of the site.

Given the proximity of the proposed mixed-use development to the primary noise sources to the North of Brennan's Bread the benefit of the noise management strategy employed to date and the potential to reduce the noise levels further will be severely limited. In the absence of suitable mitigation measures it is likely that a complaint will arise from the noise emissions from the facility and may lead to an enforcement action on Brennan's which has the potential to affect their ability to trade.

Please let me know if you have any questions on the above.

Yours sincerely,



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