

Comhairle Chontae Atha Cliath Theas

PR/0667/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0098 **Application Date:** 06-Apr-2022
Submission Type: New Application **Registration Date:** 06-Apr-2022

Correspondence Name and Address: Module Group 42 Dawson Street, Dublin 2.
Proposed Development: Alterations to existing east and west elevations to include 10 external vents; installation of new photovoltaic solar panels to existing roof; provision of 10 bicycle parking spaces; 2 EV chargers; 1 external condenser and all associated site works.

Location: UNIT 3022, Lake Drive, Citywest Business Campus, Dublin 24

Applicant Name: Yew Grove REIT Ltd
Application Type: Permission

(NM)

Description of Site and Surroundings:

Site Area:
Stated as 0.443ha.

Site Visit:
18/5/2022

Site Description:

The application site is located within the Citywest Business Park and consists of a detached own door two storey office block. The property is located to the north of the Citywest Business Park and the area is primarily office based in nature with differing building heights and design.

Proposal:

Planning permission is being sought for:

- Alterations to existing east and west elevations to include:
- 10 external vents;
- Installation of new photovoltaic solar panels to existing roof;
- Provision of 10 bicycle parking spaces;
- 2 EV chargers;
- 1 external condenser and all associated site works.

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SEA Sensitivity:

No overlap identified with relevant environmental layers.

Zoning:

The subject site is subject to zoning objective 'EE' – '*To provide for enterprise and employment related uses*' under the South Dublin County Council Development Plan 2016-2022.

Consultations:

Surface Water Drainage – No objection subject to standard conditions.

Irish Water – No objection subject to standard conditions.

Roads - No objection subject to condition.

Parks – No objections.

Submissions/Observations /Representations

None received.

Relevant Planning History

Subject Property

S00A/0027 – **Permission Granted** to erect exterior signage to premises.

SD12A/0175 – **Permission Granted** for erection of a glass canopy and associated steel structure to exterior of existing building entrance on east facing elevation of office premises.

Adjacent Properties

SD20A/0125 - 3044, Lake Drive, City West, Dublin 24 – **Permission Granted** for 1 x 50 KWp solar photovoltaic (PV) system on main office building. There will be a total of 156 PV panels on the main office roof and will occupy an area of 257sq.m.

SD20A/0028 - 3007, Lake Drive, Citywest Business Campus, Dublin 24 – **Permission Granted** for installation of two internally illuminated external building mounted signs to the existing south-west and north-west facades.

Relevant Enforcement History

None traced to subject site.

Pre-Planning Consultation

None recorded for the subject application.

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

Policy 3 Enterprise and Employment

ET3 Objective 7: To support the provision or retrofitting of suitable electricity and heat micro generation and storage equipment, such as photovoltaic and water-heating solar panels and small to medium scale wind turbines within business parks and industrial areas.

Section 10.0 Energy

The energy targets set out in EU legislation have been translated into the National Renewable Energy Action Plan (NREAP) 2010 and the National Energy Efficiency Action Plan (NEEAP) 2013- 2020 (updated in 2014). Ireland plans to achieve the binding EU 2020 targets under the NREAP by delivering approximately 40% of energy consumption from renewable sources in the electricity sector, 12% in the heat sector and 10% in the transport sector.

The NEEAP sets out how the Government aims to deliver a 20% reduction in energy demand (over average 2001-2005 levels) across the whole economy through a range of energy efficiency measures. The Government believes that the public sector should lead by example and has assigned an energy demand reduction target of 33% to the public sector.

ENERGY (E) Policy 1 Responding to European and National Energy Policy & Legislation

It is the policy of the Council to respond to the European and National Energy Programme through the County Development Plan – with policies and objectives that promote energy conservation, increased efficiency and the growth of locally based renewable energy alternatives, in an environmentally acceptable and sustainable manner.

10.1.0 Energy Planning in South Dublin County

South Dublin County Council has adopted a proactive approach to addressing the energy challenge by addressing energy use and efficiency in existing and new building stock and identifying low carbon and renewable energy opportunities in the County.

South Dublin County Council signed up to the EU Covenant of Mayors in June 2012. The Covenant of Mayors is an initiative of the European Commission that brings together Mayors from across Europe, in a shared voluntary commitment to reducing CO2 emissions by a minimum of 20% by 2020.

South Dublin County Council took part in an EU funded energy project from May 2011 to November 2013, in partnership with the Town & Country Planning Association (TCPA) and eight other European local authorities. The EU Intelligent Energy Europe (IEE) supported Leadership for Energy Action & Planning (LEAP) project, aimed to increase the ability of participating local authorities to pioneer and promote the use of sustainable energy measures and the move towards a low carbon local economy, with minimal greenhouse gas emissions.

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The main technical output arising from participation in the LEAP project has been the preparation of the South Dublin Sustainable Energy Action Plan 2013 (SEAP). The South Dublin SEAP analyses the County's energy consumption and carbon dioxide (CO₂), emissions and sets out a series of measures to reduce energy consumption and CO₂ emissions, through a range of energy actions across sectors. The SEAP was approved by the elected members of South Dublin County Council in May 2013 and was verified by the EU Covenant of Mayors – Joint Research Centre in April 2014.

ENERGY (E) Policy 2 South Dublin Spatial Energy Demand Analysis

It is the policy of the Council to implement the recommendations of the South Dublin Spatial Energy Demand Analysis (SEDA) in conjunction with all relevant stakeholders, promoting energy efficiency and renewable energy measures across the County.

E2 Objective 2:

To seek to reduce reliance on fossil fuels in the County by reducing the energy demand of existing buildings, in particular residential dwellings.

E2 Objective 3:

To promote the generation and supply of low carbon and renewable energy alternatives, having regard to the opportunities offered by the settlement hierarchy of the County and the built environment

E2 Objective 4:

To support the recording and monitoring of renewable energy potential in the County in partnership with other stakeholders including the Sustainable Energy Authority of Ireland (SEAI) and City of Dublin Energy Management Agency (CODEMA).

E2 Objective 6:

To require, where feasibly practical and viable, the provision of PV solar panels in new public buildings (e.g. Council buildings, school buildings, hospitals, health centres, community centres, sports facilities, libraries, Garda stations etc), for electricity generation/storage and/or water heating so as to reduce energy costs, minimise carbon emissions and reduce our dependence on imported fossil fuels.

ENERGY (E) Policy 3 Energy Performance in Existing Buildings

It is the policy of the Council to promote high levels of energy conservation, energy efficiency and the use of renewable energy sources in existing buildings

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E3 Objective 1:

To ensure that medium to large scale residential and commercial developments are designed to take account of the impacts of climate change, including the installation of rainwater harvesting systems and that energy efficiency and renewable energy measures are incorporated in accordance with national building regulations, policy and guidelines.

ENERGY (E) Policy 7 Solar

It is the policy of the Council to promote the development of solar energy infrastructure in the County, in particular for on-site energy use, including solar PV, solar thermal and seasonal storage technologies. Such projects will be considered subject to environmental safeguards and the protection of natural or built heritage features, biodiversity and views and prospects.

Section 10.2.5 SOLAR ENERGY

Section 11.7.0 ENERGY

11.7.5 SOLAR ENERGY

Development proposals for solar energy development must:

- *Prioritise south facing aspects and have an inclination of between approximately 35 and 50 degrees, depending on the use of solar PV or solar thermal technologies,*
- *Be designed to take account of over-shadowing from other solar installations on site and from existing elements of the built environment such as chimneys, parapet, roof plant equipment, taller buildings and structures in the immediate vicinity,*
- *Ensure that the siting and design of proposals have regard to the visual amenities of the surrounding area, and*
- *Consider the provisions of the Water Framework Directive, Habitats Directive and other environmental and built heritage issues.*

Section 7.1.0 Water Supply & Wastewater

Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater

Policy IE2 Surface Water & Groundwater

Section 7.3.0 Flood Risk Management

Policy IE3 Flood Risk

Section 7.5.1 Waste and Resource Policy and Legislation

Policy IE5 Waste Management

Section 7.7.0 Environmental Quality

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Policy IE6 Environmental Quality

Section 7.8.0 Aerodromes and Airport

Policy IE9 Casement Aerodrome

Within the Department of Defence Inner Zone (delineated on Development Plan Index Map), in addition to the Obstacle Limitation Surfaces for the Aerodrome, no buildings or structures exceeding 20m in height above ground level should be permitted except where specifically agreed following consultation with the Department of Defence that the proposed development will not affect the safety, efficiency or regularity of operations at the aerodrome.

Section 8.0 Green Infrastructure

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

Section 9.3.1 Natura 2000 Sites

Policy HCL12 Natura 2000 Sites

Section 10.0 Energy

Policy E3 Energy Performance in Existing Buildings

Section 11.2.1 Design Statements

Section 11.2.4 Regeneration Zone

Section 11.6.1 (i) Flood Risk Assessment

Section 11.6.1 (ii) Surface Water

Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)

Section 11.6.1 (iv) Groundwater

Section 11.6.1 (v) Rainwater Harvesting

Section 11.6.1 (vi) Water Services

Section 11.6.3 Environmental Hazard Management

Section 11.6.3 (i) Air Quality

Section 11.6.3 (ii) Noise

Section 11.6.3 (iii) Lighting

Section 11.6.4 Major Accidents – Seveso Sites

Section 11.6.5 Waste Management

Section 11.6.6 Aerodromes

Section 11.7.1 Energy Performance In Existing Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

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Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Regional, Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, 2019.

Ireland's transition to Low Carbon Energy Future 2015-2030, Department of Communications, Climate Action and Environment, (December 2015).

Towards Nearly Zero Energy Building in Ireland – Planning for 2020 and Beyond, Department of the Environment, Community and Local Government (2012).

National Renewable Energy Action Plan – NREAP

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

Assessment

The main issues for assessment relate to the following:

- Zoning and Council policy.
- Visual Amenity.
- Drainage.
- Roads.
- Parks.
- Screening for Appropriate Assessment (AA).
- Screening for Environmental Impact Assessment (EIAR).

Zoning and Council policy

A development comprising of exterior vents, photovoltaic solar panels, bicycle parking spaces, EV chargers and an external condenser would be consistent in principle with zoning objective 'EE' which seeks '*To provide for enterprise and employment related uses*' subject to the relevant provisions under the South Dublin County Council Development Plan 2016-2022.

Visual Amenity

PV Panels

Twenty-seven photovoltaic panels are proposed on the roof of the applicant property with twelve on the western elevation, eleven on the eastern elevation, and four on the southern elevation. The roof is pitched turning to a hip pitch on the southern elevation which should be able to take advantage of all day sunlight. The PV panels are considered acceptable and consistent with the South Dublin County Council Development Plan 2016-2022 objectives.

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External Vents

There are a total number of ten external vents proposed as part of the application. Whilst they have a slight impact on the visual amenity of the front and rear elevations, given the size and scale of the proposed, they are considered visually acceptable.

Bicycle Parking

The proposed calls for ten external bicycle spaces to the rear of the property at the western elevation. These are considered acceptable subject to the conditions as set out by the South Dublin County Council Roads Department.

EV Chargers

There will be two EV chargers located at the parking spaces to the front of the property to the east and they will service up to four cars. This is acceptable and consistent with the objectives of the South Dublin County Council Development Plan 2016-2022.

External Condenser

The external condenser will be located to the front of the subject property on an area in grass abutting the public footpath to the west. The size and scale of the condenser should not lead to any substantial negative impact on the visual amenity of the area.

Conclusion

Overall, the proposed should not seriously injure the visual amenity of the area subject to conditions.

Drainage

Surface Water

No objection.

Flood Risk

No objection subject to standard condition.

Water and Foul

No objection from Irish Water subject to standard conditions.

Conclusion

There are no objections raised from the reports from Water Services or Irish Water to the proposed development subject to standard conditions.

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Roads

No Roads objections subject to the following conditions:

1. All external bicycle parking spaces shall be covered and secure.

Conclusion

No objection to the proposed development subject to the above condition.

Parks

Public Realm Section has no observations or comments to make.

Conclusion

No objections to the proposed development.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established business park and comprises of exterior vents, photovoltaic solar panels, bicycle parking spaces, EV chargers and an external condenser.

Having regard to:

- the small scale and nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Screening for Environmental Impact Assessment

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.

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Other considerations

Development Contributions

The proposed development consists of the installation of roof mounted photovoltaic (PV) panels system on an existing office unit amounting to 27 photovoltaic panels which would result in a potential output of approximately:

- 8-10 KW

The South Dublin Development Contributions Scheme 2016-2020 under section (xvi) states that, 'renewable energy development with a capacity up to 0.5MW will be exempt'.

The proposal is for 8-10kW (0.008 – 0.01mw) and, therefore, exempt for this element.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
Roof mounted photovoltaic (P.V.) system	0sqm
10 external vents	0sqm
Provision of 10 bicycle parking spaces;	18.48sqm
2 EV chargers	0sqm
External Condenser	2sqm
Land Type	Site Area (Ha.)
EE land-use zoning objective	0.443

Conclusion

Having regard to the policy set out in the current South Dublin County Development Plan 2016-2022 and the scale and design of the development, it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the provisions of the South Dublin County Council Development Plan and the proper planning and sustainable development of the area.

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.

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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.

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. Bicycle parking spaces.
All external bicycle parking spaces shall be covered and secure.
REASON: In the interest of proper planning and sustainable development.
3. 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.
4. Construction Noise and Hours.
To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no 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 be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

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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.

5. Drainage.

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

ii) Where relevant 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.

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: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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REG. REF. SD22A/0098

LOCATION: UNIT 3022, Lake Drive, Citywest Business Campus, Dublin 24

jjohnston

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:

31/5/22



Eoin Burke, Senior Planner