

# Comhairle Chontae Atha Cliath Theas

**PR/0704/22**

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

**Reg. Reference:** SD22A/0102      **Application Date:** 11-Apr-2022  
**Submission Type:** New Application      **Registration Date:** 11-Apr-2022

**Correspondence Name and Address:** Michael Frain, Bright Design Architects 4, Seafield Park, Booterstown, Blackrock, Co. Dublin.

**Proposed Development:** Erection and installation of 124 photovoltaic solar panels with an area of 235.6sq.m (with average size of 1.9sq.m per panel) on the existing roofslope and all associated alterations to existing elevations, site and ancillary works.

**Location:** Unit 27, Fashioncity, Ballymount, Dublin 24

**Applicant Name:** Flairline Fashions Ltd.

**Application Type:** Permission

(EW)

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

Site Area: Stated as 0.1755 ha

Site Visit: 12/05/2022

#### Site Description:

The site is located in Fashion City, M50 Business Park. Fashion City is situated in an existing employment area. The units are generally in use as clothing warehouses. The surrounding area contains structures that are similar in form. The site is situated to the east of the M50 and northwest of Greenhills Road.

The subject site comprises part of an existing triple height building and is located to the southeast end of the established Ballymount Retail Park, located off Greenshill Road, in a terrace of retail units. The pattern of development in the vicinity comprises a planned retail estate. The site of the proposed development is located at the gable end portion of a retail building, with each of the units fronting onto areas of parking and open space. It is noted that under SD21A/0153 that Unit 4, Fashion City was granted permission to Erect 525sq.m. of photovoltaic panels on the roof.

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### **Proposal:**

- Erection and installation of 124 photovoltaic solar panels with an area of 235.6sq.m (with average size of 1.9sq.m per panel) on the existing roof slope and all associated alterations to existing elevations, site and ancillary works.

### **Zoning:**

The site is located in an area zoned Objective 'EE' – 'to provide for enterprise and employment related uses'.

**SEA Sensitivity Screening** -No overlap indicated.

### **Consultations:**

- *Delivery Team:* No objection or comment.
- *Water Services:* No objections subject to standard conditions.
- *Irish Water:* No comments.
- *Roads:* No objection or comment.
- *Parks:* No comments.
- *TII:* No objection or comment.
- *Department of Defence:* No observation received, however should negative effects become apparent from the proposal; mitigations measures should be put in place immediately.
- *IAA:* No objection to the proposed development

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

None recorded.

### **Relevant Planning History:**

None relevant to subject site.

### **Adjacent sites (within fashion city)**

SD21A/0153 - **Granted Permission** for the erection of 525sq.m. of photovoltaic panels on the roof of existing unit with all associated site works.

SD20A/0144 - Unit 14, Fashion City, Ballymount Road Upper, Dublin 24 - SDCC **Granted Permission** for the (1) Change of use of the existing ground floor (411sq.m) and first floor (401sq.m) levels from previously granted Showroom/Warehouse storage under Reg. Ref. S01A/0173 and further extended under Reg. Ref. SD02A/0514 to office use. (2) Modifications to the front facade comprising the replacement of the main entrance doors at ground floor level with glazing to match the existing, the installation of a new window to match existing at first floor level and new signage (2sq.m). (3) Modifications to the rear facade comprising the

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replacement of the existing roller shutter at ground floor level with fixed curtain wall glazing to match existing and the installation of new fixed louvres to match existing at first floor level.

SD05A/0624 - SDCC **Granted Permission** for the division of existing warehouse into two units and the addition of an entrance door and associated signage to the front. Previous permission was granted under application No. S01A/0173.

SD02A/0580 - SDCC **Granted Permission** for the change of use of 350m<sup>2</sup> first floor mezzanine storage area to ancillary office use, the change of use of 200m<sup>2</sup> of warehouse to ancillary office use, and the extension of first floor mezzanine storage area by 200m<sup>2</sup> at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade. Previous Permission was granted under application No. S01A/0173.

SD02A/0567 - SDCC **Granted Permission** for the addition of a second floor of storage space of 900m.sq. to Units 18 & 19 and additional windows to front elevations at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade.

SD02A/0514 - SDCC **Granted Permission** for the change of use of 64m<sup>2</sup> of ground floor warehouse to showroom and the extension of first floor mezzanine showroom area by 328m<sup>2</sup> and addition of a door to ground floor level at front of warehouse at the 'Fashion City', wholesale distribution and light manufacturing centre for the clothing trade. Previous permission was granted under S01A/0173.

SD02A/0350 - SDCC **Granted Permission** for the change of use of 74m<sup>2</sup> of ground floor warehouse to showroom, the extension of first floor mezzanine storage area by 425m<sup>2</sup> and the addition at second floor office area of 191m<sup>2</sup> with additional windows to front and side elevations and door to ground floor level of warehouse. Previous permission was granted under application number S01A/0173.

SD02A/0346 - SDCC **Granted Permission** for the change of use of 42m<sup>2</sup> of ground floor warehouse to showroom, extension of first floor mezzanine storage area by 197m<sup>2</sup> and the addition of a door to ground floor level at front of warehouse. Previous permission was granted under application number S01A/0173.

SD02A/0345 - SDCC **Granted Permission** for the change of use of 74m<sup>2</sup> of ground floor warehouse to showroom extension of first floor mezzanine showroom and storage area by 158m<sup>2</sup> and a door to ground floor level at front of warehouse at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade. Previous permission was granted under application no. S01A/0173.

SD02A/0344 - SDCC **Granted Permission** for the change of use of 148m<sup>2</sup> of ground floor warehouse to showroom/offices, extension to first floor mezzanine showroom and storage area

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by 122m<sup>2</sup>, the addition of second floor office area of 252m<sup>2</sup> and additional windows to front and side elevations at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade. Previous permission was granted under application no. S01A/0173.

SD02A/0342 – SDCC **Granted Permission** for the change of use of 77m<sup>2</sup> of ground floor warehouse to showroom, extension of first floor mezzanine showroom and storage area by 139m<sup>2</sup> and the addition of a door at ground floor level at front of warehouse at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade. Previous permission was granted under application no S01A/0173.

SD02A/0321 - SDCC **Granted Permission** for extension of first floor mezzanine showroom area by 112 sq. metres and addition of a door to ground floor level at front of warehouse at the 'Fashion City' wholesale distribution and light manufacturing centre for the clothing trade.

SD02A/0247 - SDCC **Granted Permission** for combining of unit 13 & 14 and extension of first floor storage area by 720m<sup>2</sup>, addition of escape door to front, removal of roller shutter door and addition of windows at ground and first floor to rear of warehouse at Fashion City wholesale distribution and light manufacturing centre for the clothing trade. Previous Permission was granted S01A/0173.

### **Relevant Enforcement History**

None for subject unit 27.

S5501 - Cleargate Ltd., IFC House, Unit 23, Fashion City, Ballymount Road Upper, Dublin 24. Subdivision of unit & intensification of use. (File closed 03.02.09) Result: complied with permission granted.

### **Pre-Planning Consultation:**

None recorded.

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

Section 4.2.0 Strategic Policy for Employment

Policy ET1 Economic and Tourism Overarching Policies and Objectives

*It is the policy of the Council to support sustainable enterprise and employment growth in South Dublin County and in the Greater Dublin Area, whilst maintaining environmental quality.*

Policy ET3 Enterprise and Employment (EE)

*It is the policy of the Council to support and facilitate enterprise and employment uses (high-tech manufacturing, light industry, research and development, food science and associated uses) in business parks and industrial areas.*

ET3 Objective 4:

*To direct light industry and logistics uses to enterprise and employment zones that are proximate to the strategic and national road network.*

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ET3 Objective 5:

*To ensure that all business parks and industrial areas are designed to the highest architectural and landscaping standards and that natural site features, such as watercourses, trees and hedgerows are retained and enhanced as an integral part of the scheme.*

ET3 Objective 6:

*To ensure that business parks and industrial areas are designed to promote walking, cycling and public transport.*

### 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 (CO<sub>2</sub>), emissions and sets out a series of measures to reduce energy consumption and CO<sub>2</sub> 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

Policy IE6 Environmental Quality

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Section 7.8.0 Aerodromes and Airport  
Policy IE9 Casement 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 E4 Energy Performance in New Buildings  
Policy E5 Waste Heat Recovery & Utilisation

Section 11.2.1 Design Statement  
Table 11.18: Key Principles for Development within Enterprise and Employment Zones

Section 11.4.1 Bicycle Parking Standards  
Table 11.22: Minimum Bicycle Parking Rates  
Section 11.4.2 Car Parking Standards  
Table 11.23: Maximum Parking Rates (Non-Residential)  
Section 11.4.4 Car Parking Design and Layout  
Section 11.4.6 Travel Plans

Section 11.6.1 Water Management  
Section 11.6.3 Environmental Hazard Management  
Section 11.6.4 Major Accidents – SEVESO Sites  
Section 11.6.5 Waste Management  
Section 11.6.6 Aerodromes

Section 11.7.2 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment  
Section 11.8.2 Appropriate Assessment

### **Relevant Government Guidelines:**

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

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

*Climate Action Plan*, Government of Ireland, 2019.



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

*Delivering a sustainable energy future for Ireland – the Energy Policy Framework 2007-2020*

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

*The Planning System and Flood Risk Management - Guidelines for Planning Authorities*, Department of the Environment, Heritage and Local Government & OPW, (2009).

### **Assessment:**

The main issues for assessment relate to Zoning and Council policy, residential and visual amenity, water service and flood risk, aviation safety, Appropriate Assessment and SEA screening.

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

The subject site is zoned objective 'EE' under the South Dublin County Council Development Plan 2016-2022. In terms of policy, there is significant policy support within current Development Plan to support and encourage the provision of climate adaptation measures inclusive of the provision of solar panels, such as that of the proposed development.

ENERGY (E) Policy 7 (Solar) states the following:

*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.*

The principle of the development to install solar pv panels on the rooftop of a permitted warehouse building, is generally consistent with the zoning objectives and policies of the County Development Plan, subject to site-specific assessment below.

It is noted that Schedule 5 'Development for the purposes of Part 10' Article 93 Part 2 of the Planning & Development Regulations 2001(as amended), which sets out thresholds for environmental impact assessment, states:

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*3(a) Industrial installations for the production of electricity, steam and hot water not included in Part 1 of this schedule with a heat output of 300 megawatts or more.*

The development comprises the installation of solar PV panels on the rooftop of a permitted warehouse and is not industrial in nature. The development comprising 124 Panels x 375v = **465.0 KW**, is considerably below the 300 megawatts. An EIA is therefore not required.

### ***Visual Impact***

As stated in the submitted plans, the proposal involves the erection of 124 photovoltaic (PV) Solar Panels at the roof level of the warehouse development. The total PV panels would cover a stated area of 235.6 sq.m. The panels would be installed to cover seven sectional regions on the roof's mid-roof (north side) and cover seven sectional areas on the immediate south side of the roof. The entire northern side of this pitched roof remains uncovered. The panels would not be overly visible as they are screened from the front side and rear elevations by a continuous facade wall. The proposed panels are mounted flat on the roof and will be parallel to the roof surface with no offset distance. The development would not significantly alter the warehouse structure as currently permitted. The structure, therefore, remains similar in terms of design, scale and external finish detail. No adverse visual impact is anticipated.

Due to their design and positioning on the rooftop, the proposed solar PV panels would not be overly visible or overly dominant in the site's context. The development is therefore considered to be visually acceptable.

### ***Glint and Glare***

A glint and glare assessment, which assesses potential impacts from the proposed development on aviation receptors at the adjacent Baldonnell Aerodrome and the road network and dwellings within 1km of the subject area, has not been submitted with the planning application.

The Planning Authority considers that this should form part of the planning file and, therefore, should be requested to be submitted prior to commencement of development by way of **condition**. The permission should also seek that there will not be any nuisance effects from the glint and glare or any hazardous effects upon either road or aviation receptors resulting from the proposed solar PV. The findings of the glint and glare report shall be to the satisfaction of the Department of Defence as per the below concerns.

### ***Aviation Safety***

The Department of Defence was formally consulted and has not submitted any comments, however having regard to similar proposals in the nearby industrial estate the following shall be adhered to:

- *Given the proximity of the development to Casement Aerodrome, should negative effects become apparent on air or ATC operations as a result of the photovoltaic cells, then the*

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*owner must take measures necessary to mitigate these effects to an acceptable level, without delay.*

It is considered reasonable to request the standard glint and glare report by **condition** prior to commencement in the event of a grant of permission to ensure aviation safety.

### ***Services, Drainage and Flood Risk***

A report was not received from Water Services however it is noted that no impact on existing services is expected.

No additional flood risk envisaged for the site. The Unit 4, Fashion House is within an existing industrial building with hard standing roof so the addition of solar panels would not result in an increase of flood risk.

### ***Appropriate Assessment***

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the scale and nature of the development proposed and the distance from Natura sites, it is considered that the development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 Appropriate Assessment is not required.

### ***Environmental Impact Assessment***

Having regard to the nature and scale of the proposed development and pursuant to Schedule 5 of the Planning and Development Regulations 2001 (as amended), the proposal is not a class of development for which a mandatory Environmental Impact Assessment Report is required. Additionally, having regard to the distance of the site from nearby sensitive receptors, the need for environmental impact assessment can therefore be excluded at preliminary examination and a screening determination is not required.

### **Other Considerations**

#### ***Development Contributions***

The proposed development consists of the erection of 124 photovoltaic solar panels with an area of 235.6 sq.m

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 proposed 124 Panels x 375v = **465.0 KW** (0.108 Megawatt) is below the charge of levy capacity of 0.5 MW.

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### **SEA Monitoring Information**

- Building Use Type Proposed- Roof mounted solar photovoltaic (P.V.) system
- Floor Area (sq. m.)- N/A
- Land Type- Brownfield/Urban Consolidation
- Site Area (Ha.)- Stated as 0.1755 (ha)

### **Conclusion**

Having regard to the said site and to the national renewable energy, policy set out in the current South Dublin County Development Plan 2016-2022, in particular those set out Section 10.0 'Energy' and to the scale and design of the proposed development that it is deemed would not seriously injure the amenities of the area or of property in the vicinity, it is considered that, subject to the conditions set out below, the development would be in accordance with the provisions of the current 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.

### **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.

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2. **Glint/Glare Assessment regarding Aviation.**  
Prior to the commencement of development, the applicant/owner shall submit the following to the Planning Authority:
  - (a) written confirmation that the applicant has forwarded a Glint and Glare Assessment which considers the predicted effect of the proposed solar panels on sensitive aircraft receptors of the proposed development to the Irish Aviation Authority.
  - (b) the written agreement of the Irish Aviation Authority and/or the Air Corps Traffic Service, which states that:
    - (i) the proposed construction works - inclusive of cranes - will not affect the safety, efficiency or regularity of aircraft generally and/or of Air Corps operations.
    - (ii) the proposed development - inclusive of the solar panels - will not affect the safety, efficiency or regularity of aviation operations or the emergency services (e.g. Coast Guard helicopters ) operated in the vicinity of Tallaght Hospital.

**REASON:** In the interests of public safety, protecting the environment and in the interests of the amenities of the area.
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.  
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

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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.

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.

NOTE: The applicant shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

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**REG. REF. SD22A/0102**

**LOCATION: Unit 27, Fashioncity, Ballymount, Dublin 24**

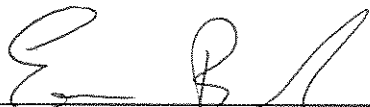
*Colm Harte*

**Colm Harte,  
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:**

7/6/22

  
**Eoin Burke, Senior Planner**