

Comhairle Chontae Atha Cliath Theas

PR/0754/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0116 **Application Date:** 22-Apr-2022
Submission Type: New Application **Registration Date:** 22-Apr-2022
Correspondence Name and Address: Elena Vazquez, Enerpower Unit 24, Waterford
Business Park, Cork Road, Waterford
Proposed Development: Erect 775.46sq.m or 289.80 kWp of photovoltaic
panels on the roof of storage building with all
associated site works.
Location: Turnpike Road, Dublin 22
Applicant Name: SIG Trading (Ireland) Limited
Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Visit: 13/06/2022

Site Area: Stated as 2.7 Hectares.

Site Description:

The subject site is located at the junction of Merrywell and Turnpike Road, within an established Industrial area. The overall site is currently in operation as SIG Construction Accessories warehouse set within in its own grounds. The site is located to the north of Turnpike Road and bound by a wall and railing to its southern and western boundaries. The pattern of development in the vicinity comprises large industrial and warehouse buildings however immediately west of the site are a terrace of residential housing.

Proposal:

- Erect 775. 46sq.m or 289.80 kWp of photovoltaic panels on the roof of storage building with all associated site works.

Zoning:

The subject site is subject to zoning objective 'REGEN' - *'To facilitate enterprise and/or residential led regeneration'*.

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Consultations:

Parks and Public Realm:	No comments received at time of report.
Surface Water Drainage:	No objections subject to standard conditions.
Irish Water:	No objections.
Department of Defence:	No comments received at time of report.
Irish Aviation Authority	No objections.
Roads:	No objections.
<i>SEA Overlap</i>	Section 22 Landfills 2016.

Submissions/Observations /Representations

None received.

Relevant Planning History

SD21A/0258 - Turnpike Road, Ballymount, Dublin 22 **Granted Permission** for 2 new signs at site entrance featuring company logo; 5 new signs on building facade featuring company logo and name; 2 Totem signs featuring company logo and opening times etc; all associated site works.

SD15A/0328 - Turnpike Road, Ballymount Industrial Estate, Dublin 22. **Granted Permission** Works to an existing warehouse including new mezzanine level (336sqm); new single storey porch to entrance (19.7sqm); vehicular access door to rear; 3 new illuminated signs and works to existing office building including 3 new illuminated signs, and site works including 3 new illuminated signs at entrance; new designated vehicular and pedestrian traffic routes throughout the site.

Adjacent sites:

SD20A0302 - Units 5,6,7,8,9, Turnpike Business Park, Turnpike Lane, Ballymount, Dublin 22. **Granted Permission** for the erection of a 6000mm high totem style site sign for the Turnpike Business Park; the totem will be 1800mm wide x 250mm deep in plan, including lettering/numerals and illuminated elements to its north and south sides and will be located at the east boundary of the site near the site entrance; associated works.

SD19A/0070 – **Granted Permission and Granted Retention** for Internal extension of floorplates and amalgamation of units 5, 6, 7, 8 and 9 and their change of use from light industrial to create a two storey office based industry unit of 1,520sq.m within the overall

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Turnpike Business Park development; Retention for the amalgamation of units 5, 6, and 7 that includes the retention of the internal extension of the original mezzanine floor to create a first floor level above the entire ground floor of these units and change of use of these units at ground and first floor level from light industrial to office based industry (910sq.m overall). Permission for the demolition of the first floor (281sq.m) within units 8 and 9 and the construction of a new first floor (305sq.m) above the entire ground floor of these units and the change of use of these units at ground and first floor level from light industrial to office based industry (610sq.m); Permission is also sought for changes to the car parking layout that will reduce the car parking spaces from 65 to 64 car parking spaces with vehicular access off Turnpike Road with a new gated access at the entrance into the car park; sheltered bicycle parking will be provided to serve the development; elevation changes and signage that include a new projecting sign (7.3sq.m) to the north of the east elevation and alteration of individual doors and shutter doors to windows on both the north and south elevation; new windows to both the north, west and south elevation at first floor level; all site and ancillary development works required to facilitate the development.

SD12A/0067 – SDCC **Granted Permission** for Erect a 4.525m high stand-alone advertisement sign, all ancillary site works. The permission has been implemented.

S94A/0612 – Unit 1, Turnpike Business Park, Turnpike Lane, Ballymount, Dublin 22. SDCC **Granted Permission** for mezzanine floor for production and storage purposes.

Relevant Enforcement History

None recorded for subject site

Pre-Planning Consultation

None recorded for subject site.

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

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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. 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

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.

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Climate Action Plan, Government of Ireland, 2019.

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 subject to zoning objective 'REGEN' - '*To facilitate enterprise and/or residential led regeneration*'. 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.

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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:

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 644 (1m x 1m in size) Panels x 375v = **241.5 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 644 photovoltaic (PV) Solar Panels at (1m x 1m in size) on the roof level of the warehouse development. The total PV panels would cover a stated area of 775.46 sq.m. The panels are outlined to be installed to cover two lateral sectional regions on the roof's outer roof (southwest side) facing Turnpike Road and a mid-sectional area further north of the roof. The entire northern side of this pitched roof remains uncovered. The panels would not be overly visible as they 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 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 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 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.

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Aviation Safety

The Department of Defence was formally consulted and have stated that no observations on the proposed application with respect to the Safety Regulations Division, Aerodromes and this is considered acceptable.

Services, Drainage and Flood Risk

A report was received from Water Services however it is noted that no impact on existing services is expected, standard conditions to apply.

No additional flood risk envisaged for the site. Sig Trading (Ireland) 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.

Irish Water is not applicable in this instant.

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 644 photovoltaic solar panels with an area of 775.46 sq.m

The South Dublin Development Contributions Scheme 2021-2025 under section (xvi) states that, 'renewable energy development with a capacity up to 0.5MW will be exempt'.

- The proposed 644 (1m x 1m in size) Panels = **241.5 KW** (0.241 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.
2. Glint/Glare Assessment regarding Aviation.
Prior to the commencement of development, the applicant/owner shall submit the

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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 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

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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.

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REG. REF. SD22A/0116

LOCATION: Turnpike Road, Dublin 22

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:

16/6/22


Eoin Burke, Senior Planner