

Comhairle Chontae Atha Cliath Theas

PR/0964/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0264 **Application Date:** 02-Jun-2022
Submission Type: New Application **Registration Date:** 02-Jun-2022

Correspondence Name and Address: Fingleton White Ltd. Bridge Street Centre,
Portlaoise, Co. Laois

Proposed Development: The installation of a 3.25 vent stack servicing the
existing underground natural gas pressure reduction
installation with all ancillary services and associated
site works.

Location: Lands at Foxborough Hall, Newlands Road, Lucan,
Co. Dublin

Applicant Name: Gas Network Ireland

Application Type: Permission

(EW)

Description of Site and Surroundings:

Site visit: 22/06/2022

Site Area: stated as 0.0012 ha.

Site Description:

The subject site comprises a protruding grass verge directly off the concreted public footpath entrance area located north of the Lands of Foxborough Hall entrance and immediately adjacent to Newlands Road. The subject site is in the control of Abacus Property Management that appears under *TIC* on SDCC Development Plan maps.

Proposal:

The installation of a 3.25 vent stack servicing the existing underground natural gas pressure reduction installation with all ancillary services and associated site works.

Zoning:

The subject site is zoned objective RES - '*To protect and / or improve Residential Amenity*' under the South Dublin County Council Development Plan 2022-2028.

It is noted that the subject site is located immediately to the north of land zoned objective 'RES' in the public domain with public path and Newlands Road listed under *TIC*.

Comhairle Chontae Atha Cliath Theas

PR/0964/22

Record of Executive Business and Chief Executive's Order

Consultations

Environmental Health Officer –	No objection subject to conditions
Irish Water –	Further Information Requested
Water services –	No objections subject to conditions.
Parks –	No comment to make
Roads –	No objections.

SEA Sensitivity: No overlap identified.

Submissions/Observations /Representations

None.

Relevant Planning History

None recorded for subject site.

Relevant Enforcement History

None.

Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Council Development Plan 2022 - 2028

11.4 Information and Communications Technology

IE5 Objective 2: To co-operate with the relevant agencies to facilitate the undergrounding of all electricity, telephone, and television cables in urban areas wherever possible, in the interests of visual amenity.

IE5 Objective 3: To permit telecommunications antennae and support infrastructure throughout the County, subject to high quality design, the protection of sensitive landscapes and visual amenity.

IE5 Objective 4: To discourage a proliferation of telecommunication masts in the County and promote and facilitate the sharing of facilities.

IE5 Objective 5: To ensure that above ground utility boxes are sensitively located and finished to reduce their visual impact and promote soft planting around existing and new ones where feasible.

Comhairle Chontae Atha Cliath Theas

PR/0964/22

Record of Executive Business and Chief Executive's Order

10.1 Energy Planning in South Dublin

E2 Objective 4: To support existing Sustainable Energy Communities and actively encourage and support new SECs.

Assessment

The main issues for consideration are as follows:

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

Zoning and Council Policy

The site is located in an area which is zoned 'RES' 'to protect and/or improve residential amenity'. 'Public Services' such as that proposed are permitted in principle. The proposed development would be in accordance with 10.1 Energy Planning in South Dublin. The development is required as part of performance and safety enhancement measures to the latest industry standards.

Legal Interest,

The applicant has submitted a letter of consent from Abacus Property Management dated 14th October 2022, who are in control of the lands for the subject application and granting consent for the use of the subject site for the proposal.

Residential & Visual Amenity

The applicant proposes the installation of a 3.25m vent stack to serve the existing underground natural gas pressure reduction installation. The proposed gas vent stack installation will be located on the protruding grass verge directly off the concreted public footpath entrance area located north of the Lands of Foxborough Hall entrance.

The applicant notes: *that vent stack is installed that in the event of overpressure in the pressure reduction unit, a relief valve releases some gas to atmosphere to reduce the pressure in the system. The purpose of the relief vent stack is to vent this gas to a safe area. The vent stack is 3.25 meters in height so that the gas is vented at a height that won't overlap with pedestrians. Natural gas is less dense than air, so it rises when released to the atmosphere. In normal operation, there is no gas in the pressure relief vent stack.*

Comhairle Chontae Atha Cliath Theas

PR/0964/22

Record of Executive Business and Chief Executive's Order

The information document submitted by Gas Networks Ireland states that the volume of gas venting is infrequent and minimal and that the vent flue directs any vented gas upwards into the atmosphere. A Gas Networks Ireland fitter carries out a visual inspection every 6 months and a full function test every 12 months.

The proposed development principle is considered consistent with the 'RES' zoning at this location. The vent stack structure would not have a significant height at 3.25 metres and would be visible from the main road; however, this site also contains a similar pole in size with signage, and it is considered that this proposal is seamless and will not contribute to street clutter or create an obstacle for pedestrians. It is also considered that the vent stack will not impact negatively on the residential amenity and **conditions** shall attach relating to colour and maintenance.

EHO

The Environmental Health Officer has objections subject to the following:

1. Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of noise level.
2. The development shall be so operated that there will be no emissions of malodours, dust, fumes or other deleterious materials, no noise or vibration on site as would give reasonable cause for annoyance to any person in any nearby property or public area.

The above is noted and shall apply by **condition** in the event of a grant of permission.

Roads

The Roads Department has objections subject to the following:

- (i) the installation of the vent stack must not obscure the existing road sign.

The above is deemed appropriate and will apply by **condition** in the event of a grant of permission.

Parks & Landscaping,

The Parks Department have issued a report recommending no objections or recommendations.

Water Services

A report was received from SDCC Water Services Department with no objections subject to standard conditions.

Comhairle Chontae Atha Cliath Theas

PR/0964/22

Record of Executive Business and Chief Executive's Order

The Irish Water report states Further Information requested on the following:

1 Water

1.1 Submit a drawing in plan and cross-sectional view showing the distance between proposed development and adjacent watermain South of Same. Note there shall be a minimum distance of 3m between proposed vent stack and existing watermain.

1.2 Alternatively obtain a letter of confirmation of feasibility from Irish Water for proposed development.

- 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.

2 Foul Not Applicable

It is deemed that the above requirements can be obtained by **conditions** prior to the commencement of development. The applicant or developer shall agree with Irish Water Diversion section development in the event of a grant of permission.

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 residential area and comprises the installation of a 3.25 vent stack servicing the existing underground at a protruding grass verge directly off the concreted public footpath entrance area located north of the Lands of Foxborough Hall entrance.

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.

Environmental Impact Assessment

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

Comhairle Chontae Atha Cliath Theas

PR/0964/22

Record of Executive Business and Chief Executive's Order

Development Contributions

The proposed development relates to 3.25m vent stack structure is classed as public services and therefore development contributions should not apply.

SEA Monitoring

Telecommunications – N/A

Land Type – Brownfield

Site Area – 0.0012 ha.

Conclusion

Having regard to the RES Zoning of the site, it is considered that, subject to compliance with the conditions set out below, the proposed 3.25m vent stack structure within a protruding grass verge directly off the concreted public footpath entrance area of the Foxborough Hall development would not seriously injure the visual amenities of the area and would not be contrary to the proper planning and sustainable development of the area, therefore a grant of permission is recommended.

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.

Comhairle Chontae Atha Cliath Theas

PR/0964/22

Record of Executive Business and Chief Executive's Order

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. Irish water.

Prior to the commencement of development, the applicant or developer shall submit and agree with Irish Water Diversion section development:

(i) Submit a drawing in plan and cross-sectional view showing the distance between proposed development and adjacent watermain South of Same. Note there shall be a minimum distance of 3m between proposed vent stack and existing watermain.

(ii) Alternatively obtain a letter of confirmation of feasibility from Irish Water for proposed development.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

3. Surface Water.

(i) The Developer shall ensure that there is complete separation of the foul and surface water drainage systems within the site, both in respect of installation and use.

(ii) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works which can be viewed /downloaded from the South Dublin County Council website at the following link

<http://www.sdcc.ie/sites/default/files/publications/greater-dublin-regional-code-of-practice-for-drainage-works.pdf>

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate drainage provision.

4. Environmental Health Officer.

(i) Clearly audible and impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of noise level.

(ii) The development shall be so operated that there will be no emissions of malodours, dust, fumes or other deleterious materials, no noise or vibration on site as would give reasonable cause for annoyance to any person in any nearby property or public area.

REASON: In the interest of health and safety and orderly development.

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

REASON: In the interest of amenity and orderly development.

6. Roads.

(i) the installation of the vent stack must not obscure the existing road sign.

REASON: In the interest of amenity and health and safety.

7. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable

Comhairle Chontae Atha Cliath Theas

PR/0964/22

Record of Executive Business and Chief Executive's Order

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.

8. 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 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.

Comhairle Chontae Atha Cliath Theas

PR/0964/22

Record of Executive Business and Chief Executive's Order

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 requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

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

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.

Comhairle Chontae Atha Cliath Theas

PR/0964/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0264

LOCATION: Lands at Foxborough Hall, Newlands Road, Lucan, Co. Dublin

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:

27/7/22

Eoin Burke

Eoin Burke, Senior Planner