

Comhairle Chontae Atha Cliath Theas

PR/1310/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0339 **Application Date:** 22-Aug-2022
Submission Type: New Application **Registration Date:** 22-Aug-2022

Correspondence Name and Address: Elena Vazquez, Enerpower Unit 24, Waterford Business Park, Cork Road, Co. Waterford

Proposed Development: Erect 1074sq.m or 204.20KWP of photovoltaic panels on the roof of existing commercial building, in cafe / restaurant and 4 retail / commercial, with all associated site works.

Location: Lidl Complex, Main Road, Tallaght, Dublin 24

Applicant Name: Lidl Ireland GMBH

Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.22 hectares.

Site Description:

The application site comprises part of the Lidl Tallaght complex, located on Main Street, Tallaght. The complex consists of a number of office and retail buildings, with a centralised car park. The subject building comprises a number of retail uses. The building is a single storey, flat roof retail warehouse style block. The surrounding area is residential and mixed commercial/retail in nature.

Proposal:

Permission is sought for the following:

- Erection of 1074,00 sq.m or 204.20 KWP of photovoltaic panels on the roof of an existing commercial building

Zoning:

The site is subject to zoning objective 'REGEN' – *'To facilitate enterprise and/or residential-led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery.'*

Comhairle Chontae Atha Cliath Theas

PR/1310/22

Record of Executive Business and Chief Executive's Order

Consultations:

Internal Consultees

Public Realm – No specific observations or comments

Roads – No objection

Water Services – No objection

External Consultees

Irish Water – No objection

Irish Aviation Authority – No response received

Department of Defence – have made an observation requiring a glint and glare report.

SEA Sensitivity Screening

SEA monitoring indicates no overlap with relevant sensitive layers.

Submissions/Observations /Representations

Submission expiry date – 26 September 2022

No submissions or observations received.

Relevant Planning History

SD21A/0133: Change of use from a retail/commercial unit (153sq.m) to a proposed leisure/gym use; removal of rear doorway including all ancillary works required to complete the development. **Permission granted.**

Relevant Enforcement History

No live enforcement files recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GII Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Comhairle Chontae Atha Cliath Theas

PR/1310/22

Record of Executive Business and Chief Executive's Order

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

5.2.9 Materials, Colours and Textures

Policy QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

QDP11 Objective 1:

To require the use of high quality and durable materials and finishes that make a positive contribution to placemaking.

QDP11 Objective 2:

To promote the use of structural materials that have low to zero embodied energy and CO2 emissions and ensure a wood-first policy on public buildings funded or part-funded by the Council.

Chapter 9 Economic Development and Employment

EDE1 Objective 6:

To ensure that economic and enterprise related development is provided in a manner which facilitates a reduction in greenhouse gas emissions by supporting and promoting the following measures:

- An increase in employment densities within walkable distances of communities and on public transport routes;*
- Promotion of walking and cycling and use of public transport through increased permeability and mobility management measures within and outside employment areas;*
- The sourcing of power from district heating and renewables including wind, hydro and solar;*
- Additional native tree planting and landscaping on existing and proposed enterprise zones and development sites to aid with carbon sequestration, contribute to the green infrastructure network of the County and promote quality placemaking.*

10.1 Energy Planning in South Dublin

Policy E2: South Dublin Energy Profile

Comhairle Chontae Atha Cliath Theas

PR/1310/22

Record of Executive Business and Chief Executive's Order

Further develop and implement climate action and energy related initiatives in the County in conjunction with EMRA, the Dublin Energy Agency (Codema), Climate Action Regional Office (CARO) and all relevant stakeholders, promoting energy efficiency and renewable energy measures across the County

E2 Objective 1: To seek to reduce the reliance on fossil fuels in the County by reducing the energy demand of existing and new development.

E2 Objective 2: 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 3: To support the recording and monitoring of renewable energy potential in the County in partnership with other stakeholders including the East Midlands Regional Assembly EMRA, the Dublin Energy Agency (Codema), Climate Action Regional Office (CARO).

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

10.2.1 Energy Performance in Existing Buildings

Policy E3: Energy Performance in Existing Buildings

Support high levels of energy conservation, energy efficiency and the use of renewable energy sources in new and existing buildings including the retro fitting of energy efficiency measures in the existing building stock in accordance with relevant building regulations, national policy and guidance and the targets of the National and South Dublin Climate Change Action Plans.

E3 Objective 1: To reduce the need for energy, enhance energy efficiency and secure the use of renewable energy sources in refurbished and upgraded dwellings and other buildings through the design and location of new development, in accordance with relevant building regulations and national policy and guidance.

E3 Objective 2: To prioritise the retrofitting of buildings over demolition and reconstruction where possible to reduce the large quantities of embodied carbon energy generated from building materials when building from the ground up.

E3 Objective 3: To require all new development to be designed to take account of the impacts of climate change, and that energy efficiency, energy provision and renewable energy measures are incorporated in accordance with national building regulations and relevant policy and guidelines.

E3 Objective 4: To support and facilitate the actions and targets of the National and South Dublin Climate Action Plans where they relate to private and public buildings in the County.

Comhairle Chontae Atha Cliath Theas

PR/1310/22

Record of Executive Business and Chief Executive's Order

10.2.6 Solar PV Photovoltaic (PV)

Photovoltaic (PV) cells convert solar radiation directly into DC electricity. Individual PV cells only provide a small amount of electricity, so they are generally grouped together into a module for convenience. PV is generally more suited to areas where the electricity generated can supply a nearby load, and the energy loss and costs associated with transmission and distribution are avoided. In accordance with the requirements of RPO 7.35 of the RSES the Council is working with the Dublin Energy Agency Codema to assess the potential for both building integrated and utility-scale solar PV panels in the County with the long-term objective of designating zones where Strategic Solar Energy Zones might be considered. Work already undertaken provides opportunities for the incorporation of solar technologies into the built fabric of existing premises. There may also be potential for the development of 'solar farm' type developments adjacent to the range of large commercial, industrial and business parks located in South Dublin County where viability and feasibility is proven.

Policy E7: Solar Energy

Promote the development of solar energy infrastructure in the County, including the building of integrated and commercial-scale solar projects subject to a viability assessment and environmental safeguards including the protection of natural or built heritage features, biodiversity and views and prospects.

E7 Objective 1: To encourage and support the development of solar energy infrastructure for on-site energy use at appropriate locations in the County.

E7 Objective 2: To encourage and support the development of commercial-utility solar energy infrastructure for local distribution at suitable locations in the County.

E7 Objective 3: To support and encourage the ongoing delivery of solar technology on Council owned buildings and sites in accordance with the South Dublin Climate Action Plan. E7 Objective 4: To explore the potential for the development of solar PV Strategic Energy Zones in the County in accordance with the requirements of RPO 7.35.

E7 Objective 5: To ensure that planning applications for solar energy infrastructure which may impact on the operation of airports are referred to the IAA/Department of Defence or relevant airport authority.

E7 Objective 6: To establish a GIS database of PV installations in the County at the appropriate time in tandem with the roll out of solar PV development. This should include data on the size (area of site in m², total area of panels per m²), type (monocrystalline, tracking, PV, concentrated solar panels, domestic/ commercial, etc.), grid connection details (location, kV, two-way metering, etc.) and energy generation (kW peak, annual kWh) of each installation.

E7 Objective 7: To support the provision of solar farms in the County in areas zoned RU subject to protecting environmental sensitivities. E7 Objective 8: To support the installation of solar panels on up to 100% of residential roof space.

Comhairle Chontae Atha Cliath Theas

PR/1310/22

Record of Executive Business and Chief Executive's Order

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Section 11.8.2 Casement Aerodrome

11.8.6 Airport and Aerodrome – Noise

11.8.7 Public Safety Zones

Chapter 12 Implementation and Monitoring

12.4.2 Green Infrastructure and Development Management

Relevant Government Guidelines

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

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

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).

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021)

Planning and Development (Solar Safeguarding Zone) Regulations 2022

Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Use and Visual Amenity
- Aviation Safety
- Roads
- Green Infrastructure
- Water Supply and Wastewater
- Appropriate Assessment
- Environmental Impact Assessment

Comhairle Chontae Atha Cliath Theas

PR/1310/22

Record of Executive Business and Chief Executive's Order

Zoning and Policy

South Dublin County Development Plan 2022 - 2028

The site is subject to zoning objective 'REGEN' - *'To facilitate enterprise and/or residential-led regeneration subject to a development framework or plan for the area incorporating phasing and infrastructure delivery'*.

The provision of solar panels is not included under the zoning matrix however, it is noted the Development Plan is supportive of the provision of sustainable energy measures. Relevant policies and objectives include:

- *EDE1 Objective 6: To ensure that economic and enterprise related development is provided in a manner which facilitates a reduction in greenhouse gas emissions by supporting and promoting the following measures:*
 - *The sourcing of power from district heating and renewables including wind, hydro and solar;*
- *Policy E7: Promote the development of solar energy infrastructure in the County, including the building of integrated and commercial-scale solar projects subject to a viability assessment and environmental safeguards including the protection of natural or built heritage features, biodiversity and views and prospects.*

In this regard, the provision of solar panels at this location is considered acceptable and correlates with the policies and objectives of the Development Plan.

It is noted that E7 Objective 5 requires planning applications for solar energy infrastructure which may impact on the operation of airports are referred to the IAA / Department of Defence or relevant airport authority. This application has been referred to the Department of Defence and this is addressed later in the report.

As per the new Planning and Development (Solar Safeguarding Zone) Regulations published on 7th October 2022, the subject site is located within a Solar Safeguarding Zone and therefore there would be no consideration of the works being exempt.

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.

Comhairle Chontae Atha Cliath Theas

PR/1310/22

Record of Executive Business and Chief Executive's Order

The development comprises the installation of solar PV panels on the rooftop of an industrial retail building. The development comprising 444 Panels would provide 204.2 kwp, considerably below the 300 megawatts which would require Environmental Impact Assessment. (EIA) is therefore not required.

Use and Visual Amenity

The solar panels would be located on the flat roof of an existing commercial block within the Lidl complex in Tallaght. The panels would not be visible from the street, given their location behind the parapet of the roof. It is therefore not considered that there would be any significant negative impacts as a result of the placement of the solar panels on the roof.

Aviation Safety

The Department of Defence have reviewed the application and provided an observation on the development. Their report states the following:

Given the proximity of the development to Casement Aerodrome, Military Air Traffic Services and aviation glint and glare report to assess any impact on Air Corps flight operations.

The Department of Defence have not specified how this information should be received and agreed. As this is the only item of concern, it is considered that this can be addressed by **condition**.

Roads

The Roads Department have reviewed the application and have stated no objection to the development. Their report does not recommend any conditions.

Green Infrastructure

The subject site is not located within a Core Area, Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028).

The Public Realm section have reviewed the application and have stated no comment or observations are to be made in relation to the proposal. The provision of solar panels on the roof of an existing retail complex would not have any impact on green infrastructure in the area or require the consideration of Sustainable Urban Drainage Systems (SuDS). The proposal will not increase hardstanding at the site or severely impact green infrastructure. Therefore, the works are considered acceptable and no additional measures are required.

Comhairle Chontae Atha Cliath Theas

PR/1310/22

Record of Executive Business and Chief Executive's Order

Water Supply and Wastewater

Irish Water and Water Services have reviewed the application and have stated no objection to the development, recommending standard **conditions** relating to compliance with codes and practices 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 commercial / retail area and comprises of the provision of solar panels on the roof of an existing retail complex.

Having regard to:

- the 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 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.

Other Considerations

Development Contributions

The proposed development consists of the erection of 444 photovoltaic solar panels and would partially cover a roof area of approximately 1,074 sq.m of the existing roof.

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 development comprising 444 Panels = **204.2 KW** is below the charge of levy capacity of 0.5 MW.

SEA Monitoring Information

Building Use Type Proposed:	Solar panels
Floor Area:	1,074 sq.m
Land Type:	Commercial
Site Area:	0.22 Hectares.

Comhairle Chontae Atha Cliath Theas

PR/1310/22

Record of Executive Business and Chief Executive's Order

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that, subject to 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 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 2022 - 2028 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 and Glare
Prior to the commencement of development and given the proximity of the development to Casement Aerodrome and Military Air Traffic Services the applicant shall submit to the Planning Authority for written agreement an aviation glint and glare report to assess any impact on Air Corps flight operations. Prior to submission of such report to the Planning Authority the applicant shall consult with and incorporate the requirements of Casement Aerodrome.
REASON: To ensure the protection of aviation safety.

Comhairle Chontae Atha Cliath Theas

PR/1310/22

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 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/1310/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0339

LOCATION: Lidl Complex, Main Road, Tallaght, Dublin 24



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: 17-10-22



Gormla O'Corrain,
Senior Planner