

Comhairle Chontae Atha Cliath Theas

PR/1559/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SDZ22A/0013 **Application Date:** 13-Oct-2022
Submission Type: New Application **Registration Date:** 13-Oct-2022

Correspondence Name and Address: Ryan Beatty, Fingleton White Unit H7b, Centrepoint Business Park, Oak Road, Dublin 12

Proposed Development: Install a new LPG Safety Installation in a caged enclosure 1.8m x 1.2m x 1.2m (LxWxH) servicing the existing LPG storage installation with all ancillary services and associated site works situated within the Clonburriss SDZ (Strategic Development Zone) area.

Location: Kishogue Park, Lucan, Co. Dublin

Applicant Name: Gas Networks Ireland

Application Type: SDZ Application

(NM)

Description of Site and Surroundings:

Site Area: stated as 0.0009 ha.

Site Description:

The site is located on Kishoge Road off the R136 with the Grand Canal located to the south. The area is a mix of residential and industrial units with the surrounding area predominantly greenfield in nature. The site forms part of the Clonburriss Strategic Development Zone.

Proposal:

The proposed development is for the following:

- Install a new LPG Safety Installation in a caged enclosure 1.8m x 1.2m x 1.2m (LxWxH) servicing the existing LPG storage installation with all ancillary services and associated site works situated within the Clonburriss SDZ (Strategic Development Zone) area.

SEA Sensitivity:

No overlap identified with relevant environmental layers.

Zoning:

The subject site is located within the Clonburriss SDZ, which is subject to zoning objective 'SDZ': - *'To provide for strategic development in accordance with approved planning schemes'*.

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Consultations:

Surface Water – No report received at the time of writing.

Irish Water – No report received at the time of writing.

Roads Department – No objections or comments.

Parks Department – No objections or comments.

Environmental Health – No report received at the time of writing.

Submissions/Observations /Representations

None.

Relevant Planning History

SD22A/0087 - Lynch's Park, Lucan, Co. Dublin – **Permission Granted** for installation of a new LPG Safety Installation in a caged enclosure 1.8m x 1.2m x 1.2m (LxWxH) servicing the existing LPG storage installation with all ancillary services and associated site works.

Relevant Enforcement History

None found.

Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Development Plan 2022 - 2028

Policy E2: South Dublin Energy Profile

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. SOUTH DUBLIN COUNTY DEVELOPMENT PLAN 2022-2028 385 Energy (E)

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 new and existing Sustainable Energy Communities (SECs) in line with sustainable development and proper planning.

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Clonburris SDZ Planning Scheme

Table 2.1.3 Uses Permissible & Open for Consideration in Open Space Areas (Subject to requirements of SDZ Section 2.11.2 (Biodiversity and Natural Heritage Features))

Open for consideration: Public Services

Section 2.11.2 Biodiversity and Natural Heritage Features

Grand Canal

Ecological Corridors

Hedgerows

Protected Species

Invasive Species

Assessment

The main issues for consideration are as follows:

- Zoning and Council policy,
- Legal Interest
- Residential and Visual Amenity
- Environmental Health
- Parks
- Roads
- Drainage
- Green Infrastructure
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

Zoning and Council Policy

The subject site is zoned 'SDZ' with the zoning objective '*To provide for strategic development in accordance with approved planning schemes*'.

The Clonburris SDZ Planning Scheme (2019) identifies the site as Mixed Use Area Kishoge South West, Development Area 8.

Table 2.1.2 of the SDZ Scheme states that 'Public Services' are permitted in principle within Mixed Use Areas. An established use already exists on this site and given the scale of the addition, the proposed works to the '*Public Services*' is considered acceptable in this instance.

Legal Interest

The applicant has submitted a letter of consent from SDCC Development Department granting consent for the use of the subject site for the proposal. It is noted that the consent is valid for a period of twelve months from the date of the letter (15th Nov 2021). It is also noted that the consent is conditional on no development taking place until full planning permission has been granted and the Council is in a position to enter into an appropriate agreement with Gas Networks Ireland in respect of the lands.

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Residential & Visual Amenity

The proposed development is for an LPG (Liquid Petroleum Gas) Safety installation in a caged enclosure which will service an existing storage installation. The proposed will be encased by a metal cage with a length of 1.8m and a width and height of 1.2m respectively which is acceptable. It shall be located directly to the north abutting the existing LPG storage facility. Gas Networks Ireland has stated that "*the safety installation is being installed to ensure the protection and continued supply of gas to the local network*" which is considered appropriate.

The proposed is located on the southwestern entrance road to Kishogue Park and overall will not injure the residential or visual amenities of the area and this therefore **acceptable subject to conditions.**

Environmental Health

No report was received from the Environmental Health Officer but notwithstanding this, it is considered appropriate that the following **conditions** are attached in the event of a grant of permission:

1. No heavy / noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 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.
2. Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood.
3. A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.
4. The applicant shall put in place a pest control contract for the site for the duration of the construction works.
5. Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A).
6. Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.
7. Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.
8. Clearly audible or impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

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Parks

The Parks Department have no objections or comments which is considered appropriate given the nature of the development.

Roads

The Roads Department have no objections or comments which is considered appropriate given the nature of the development.

Drainage

No report was received from the Drainage Section nor Irish Water but considering the nature of the development, it is considered appropriate that the standard conditions apply.

Green Infrastructure

The subject application provides for a small increase in the footprint of an existing LPG installation on an established suburban mixed use site. The site is located within a Primary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028) but given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required.

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 mixed use area and comprises of the installation of an LPG (Liquid Petroleum Gas) Safety installation in a caged enclosure which will service an existing storage installation.

Having regard to:

- the small scale and domestic 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 (EIAR)

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.

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Other Considerations

Development Contributions

- Install a new LPG Safety Installation in a caged enclosure
- Assessable area is nil.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq.m)
LPG Safety Installation in a caged enclosure.	2.16m
Land Type	Site Area (Ha.)
Brownfield/Urban Consolidation	0.0009 ha.

Conclusion

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028 and the overall design and scale of the proposed development, it is considered that, subject to the **conditions** set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Acts 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 Clonburriss Strategic Development Zone Planning Scheme (as amended), 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.

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

2. Environmental Health

1. No heavy / noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 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.

2. Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise

nuisance affecting a person in any premises in the neighbourhood.

3. A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.

4. The applicant shall put in place a pest control contract for the site for the duration of the construction works.

5. Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A).

6. Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.

7. Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.

8. Clearly audible or impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.

REASON: In the interests of Environmental Health of the surrounding area.

3. Maintenance.

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

REASON: In the interest of amenity and orderly development.

4. Other Conditions

(a) Surface Water Drainage / Irish Water.

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

(ii) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the 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.

(b) Minimise Air Blown Dust.

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

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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.

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/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.

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REG. REF. SDZ22A/0013

LOCATION: Kishogue Park, Lucan, Co. Dublin

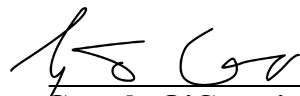
Colm Harte

**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.

As this proposal is in the Clonburris Strategic Development Zone, in accordance with Section 170 (4) of the Planning & Development Act 2000 (as amended), a Grant of Permission is hereby given on this day.

Dated: 07/12/22



Gormla O'Corrain, Senior Planner