

# Comhairle Chontae Atha Cliath Theas

**PR/1592/22**

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

**Reg. Reference:** SD22A/0407      **Application Date:** 24-Oct-2022  
**Submission Type:** New Application      **Registration Date:** 24-Oct-2022

**Correspondence Name and Address:** Kavanagh Burke Consulting Engineers Unit F3,  
Calmount Park, Calmount Avenue, Dublin 12, D12  
PX28

**Proposed Development:** Alteration to previously granted planning permission  
(Reg. SD19A/0407, SD21A/0200 & SD22A/0092) for  
development at Site C (2.7ha site).

**Location:** College Lane, Greenogue, Rathcoole, Co. Dublin

**Applicant Name:** Jordantown Properties Limited

**Application Type:** Permission

(NM)

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

Site Area: Stated as 2.7(ha)

#### Site Description:

The site is located in the Greenogue Business Park off the R120 and within close proximity to the N7 motorway to the southeast and Newcastle to the west. The surrounding properties are predominantly industrial/warehouse in nature. The proposed development is for the installation of solar panels on a new warehouse building.

#### **Proposal:**

- Alteration to previously granted planning permission (Reg. SD19A/0407, SD21A/0200 & SD22A/0092) for development at Site C (2.7ha site).
- Total area of works: 2,700sqm of solar panels

#### **Zoning:**

The site is subject to zoning objective EE – ‘To provide for enterprise and employment related uses’

#### **SEA Sensitivity Screening**

No overlap indicated, abuts SFRA A & B.

# Comhairle Chontae Atha Cliath Theas

**PR/1592/22**

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

### **Consultations:**

*Irish Water:* No objections subject to standard conditions.

*Water services:* No objections subject to standard conditions.

*Roads:* No objections.

*Department of Defence:* No observation received, Glint and Glare submitted.

*Irish Aviation Authority:* Report submitted but Glint and Glare was unavailable.

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

None recorded.

### **Relevant Planning History:**

#### ***Subject site***

SD22A/0092 – Permission Granted for Modifications to a permitted warehouse development (as granted under SD19A/0407, as amended by SD21A/0200); The amendments principally comprise an overall increase in the commercial floor area of the warehouse by 2,334sq.m from the permitted 27,683sq.m to 30,017sq.m; The modifications proposed include: an increase in plant/machinery areas from 1,363sq.m to 3,933sq.m (principally through the provision of an additional mezzanine level within the warehouse area to accommodate plant/machinery); a reduction in the permitted mezzanine level 2 from 9,703sq.m to 9,349sq.m (principally through the provision of opes in the mezzanine floor to accommodate machinery associated with an advanced picking system); an increase in warehouse floor area from 14,225sq.m to 14,282 sq.m; an increase in staff facilities from 1,616sq.m to 1,659sq.m; and an increase in ancillary office area from 776sq.m to 794sq.m; The development will also include: the provision of security hut (14.7sq.m) close to the southern site boundary; the relocation of the building's main entrance stair core at the western elevation; elevational changes including the repositioning of 2 level entry doors and 1 dock leveller and the associated canopy, repositioning of fire escape doors, removal of 2 M&E rooms; internal modifications including the insertion of a warehouse toilet block at ground floor level, repositioning of stair cores; the provision of a pedestrian gate adjacent to the bin store; reduction in bin area from previously approved 45sq.m to 38sq.m; provision of compactor in place of 1 van parking space along the south-east boundary resulting in the reduction of van parking spaces from 12 to 11 in a modified arrangement; relocation of van egress gate further south; modifications to the position of the van loading entry doors and associated canopy; modifications to hard and soft landscaping and boundary treatments including the provision of a paladin fence separating the car parking area and the HGV circulation area and removal of 2 green walls; and all associated site works above and below ground.

SD21A/0200 – Permission Granted for amendments principally comprising of an overall increase in the commercial floor area by 15,479sq.m from the permitted 13,959sq.m to 29,438sq.m.

# Comhairle Chontae Atha Cliath Theas

PR/1592/22

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

Conditions of interest:

2. *Parent Permission. All conditions attached to permission granted under Reg. Ref. SD19A/0407 to which this application will have the effect of creating modifications to, shall apply, 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*

3. *Office Space. Office space on the subject site shall have a maximum floor area of 776sq.m and shall be limited to the office areas as notated/coloured blue on the drawings submitted with the Additional Information response received on 5-November-2021.*

*REASON: In the interests of complying with zoning and county development Plan policy and in the interests of proper planning and sustainable development of the area.*

4. *Roads.*

*(1) A maximum of eighty-seven (87) car-parking spaces and 12 van-parking spaces are hereby granted.*

*(2) Prior to the commencement of development, the applicant shall submit the following for the written agreement of the Planning Authority:*

*(i) a revised operational detail report, which shall be to the satisfaction of the Roads Department, comprising graphs showing vehicles (HGV, LGV, Cars) against time over 24/7 vehicular movement to and from the subject site.*

*(ii) a revised layout showing a pedestrian footpath throughout the staff car parking area.*

*REASON: In the interests of public safety and the proper planning and sustainable development of the area.*

SD19A/0407

Provision of a warehouse unit with ancillary three storey office and staff facilities and associated development. **Permission granted.**

Condition of interest:

2 *Amendments.*

*Prior to the commencement of development, the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:*

*Revised plans that incorporate all of the following amendments-*

*A concrete 2.0m wide footpath surrounding the proposed building connecting the fire escape doors to the safe assembly zones.*

*REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.*

# Comhairle Chontae Atha Cliath Theas

PR/1592/22

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

### *Adjacent*

SD09A/0050 - Permission Granted for An extension to the currently licensed oil recovery activities at the existing integrated waste management facility. This activity will involve the processing and recovery of waste drill cuttings into water, oil, and sludge. This activity will take place in the existing on-site contaminated soil storage shed. Therefore, the volume of contaminated soil throughout at the facility will be reduced. The facility currently operates in accordance with waste licence no. 192-02. Permission also sought for 24 hour operations at the facility (after day time hours) which will only apply to activities within the existing solid shed relating to the drill cutting waste processing and recovery.

SD07A/0260: Permission granted on this site for an increase in the annual waste throughput at existing integrated Waste Management Facility from 62,500 tonnes to 111,000 tonnes per annum. The facility operated in accordance with Waste Licence No. 192-1. Planning application was accompanied by an Environmental Impact Statement (EIS)

S02A/0065/PL06S.130047: Construct 33,774 sq.m of warehouse/light industrial units in 11 No. blocks including 7,736 sq.m of integral related office accommodation on two floors together with access roads, service utilities, sub-stations, boundary fences, landscaping, planting, paving parking, associated site development works and further improvement works to College Lane; demolition of existing 'old mushroom sheds'. The application was accompanied by an Environmental Impact Statement. Granted permission and granted on appeal to An Bord Pleanala.

SD02A/0313/PL06S.201534: Permission granted on this site for an integrated Waste Management Facility consisting of four components namely: Hydrocarbon Waste Treatment Centre (1,858sq.m), Drum Recovery Centre (1,858sq.m), Hazardous Waste Transfer Station (1,859sq.m) and Non Hazardous Waste Recycling Centre (3,251sq.m). Ancillary infrastructure including site office (200sq.m) 4 no. weighbridges, 2 no. reception kiosks (14.44sq.m), 2 no. bunded fuel storage tanks (20sq.m), site roads, surface, and foul water drainage, 2 no. storm water attenuation tanks (666sq.m), 2 no. firewater retention tanks (151.5sq.m) and car and truck parking areas. An Environmental Impact Statement (EIS) accompanied this planning application. Granted permission and granted on appeal to An Bord Pleanala.

### **Relevant Enforcement History:**

None recorded.

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

None recorded.

# Comhairle Chontae Atha Cliath Theas

PR/1592/22

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

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

#### *10.0.1 Planning Policy Context*

#### *10.1 Energy Planning in South Dublin*

#### ***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*

*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 and New 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.*

# Comhairle Chontae Atha Cliath Theas

PR/1592/22

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

*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.*

*E2 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.*

### **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.*

# Comhairle Chontae Atha Cliath Theas

**PR/1592/22**

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

*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 m<sup>2</sup>, total area of panels per m<sup>2</sup>), 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.*

### **Green Infrastructure**

***GI1 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.*

***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.*

***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.*

### **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.*

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

# Comhairle Chontae Atha Cliath Theas

PR/1592/22

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

*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 are

- Zoning and Council Policy
- Planning Note
- Residential and Visual Amenity
- Drainage
- Roads
- Aviation Safety and Glint and Glare
- Green Infrastructure
- Seveso
- Appropriate Assessment
- Environmental Impact Assessment

### *Zoning and Council Policy*

The subject site is zoned objective 'EE' under the South Dublin County Council Development Plan 2022-2028. There is significant policy support within the current Development Plan to support and encourage the provision of climate adaptation measures, including the provision of solar panels, such as that of the proposed development.

Under Policy E3: *Energy Performance in Existing and New Buildings* of the existing South Dublin County Development Plan 2022-2028.

- *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.*



# Comhairle Chontae Atha Cliath Theas

PR/1592/22

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

Policy E7 (Solar Energy) states the following:

- *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.*

The principle of the development to install solar pv panels on the rooftop of a warehouse building, is 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:

*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 warehouse building comprising 7,300 sqm of PV panels and the applicant should confirm the output by **Additional Information.**

### ***Planning Note***

The applicant has not confirmed the output from the proposed development, and this should be sought by Additional Information. Furthermore, if a 110Kv line is required for connection to the ESB grid network. It is recommended that the applicant be requested to confirm if the Strategic Infrastructural Development is applicable and if so written confirmation from An Bord Pleanala should be provided. This should be sought by **Additional Information.**

E7 Objective 6 is *"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".*

The applicant is therefore required to submit the information as per E7 Objective 6 above by **Additional Information.**

# Comhairle Chontae Atha Cliath Theas

PR/1592/22

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

### Residential and Visual Impact

The proposed development is for 7,300sqm of solar panels on the roof of a warehouse building. It is indicated that the PV panels will remain in a fixed position and not follow the movement of the sun. They will cover the majority of the roof space but given the nature of the development, they would not be visible from street level and would **therefore not be injurious to the visual amenities of the area.**

The proposed development is located within an established business park and **would not have a negative effect on the residential amenity of the area.**

### Aviation Safety and Glint and Glare

A glint and glare assessment, which assesses potential impacts from the proposed development on aviation receptors, has been submitted with the planning application. Having regard to the existing South Dublin County Development Plan 2022-2028, under Policy *E7: Solar Energy*:

- *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.*

The permission should 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 applicant should seek confirmation that both the IAA and Department of Defence are satisfied with the findings of the glint and glare report.

A report was received from the IAA seeking a glint and glare report which was provided but no report from the Department of Defence at the time of writing. None the less, the applicant should get confirmation of the viability of the proposed development by **Additional Information** to ensure the proposal is in keeping with Policy ET7, objective 5.

### Green Infrastructure

No additional buildings are proposed in this instance, the proposal is for solar panels on the roof of a warehouse building.

### Services, Drainage and Flood Risk

A report was received from Water Services stating no objections subject to standard drainage conditions.

No additional flood risk envisaged for the site. The Warehouse Building is within an Industrial area with hard standing roof so the addition of solar panels would not result in an increase of flood risk.

# Comhairle Chontae Atha Cliath Theas

PR/1592/22

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

Irish Water have not submitted a report; however, no water connection is noted from the Photovoltaic Panels and is not considered necessary to the subject application.

### *Seveso Site*

The proposed development site is located within the 500m consultation distance from Brenntag Chemicals a Seveso Site. Given the nature and scale of the proposed development, it is considered acceptable in this instance.

### *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 business park and comprises the installation of 7,300sqm of Photovoltaic Panels on the roof of a warehouse.

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*

It is noted that development for the provision of solar panels is not a development type which is listed within Schedule 5 of the Planning & Development Regulations 2001(as amended) for which a threshold is outlined which requires the mandatory submission of an EIAR. As set out above however Section 3(a) relates to 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. It is requested that the applicant provides details of the total electricity output of the proposed installation.

### Other Considerations

#### *Development Contributions*

The proposed development consists of the erection of photovoltaic solar panels and would substantially cover a roof area of 7,300sqm.

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'.

Therefore, the applicant should provide confirmation of the output of the proposed development by **Additional Information.**

# Comhairle Chontae Atha Cliath Theas

**PR/1592/22**

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

### **SEA Monitoring Information**

- Building Use Type Proposed- Roof mounted solar photovoltaic (P.V.) system
- Floor Area (sq. m.)- N/A
- Land Type- Brownfield
- Site Area (Ha.)- Stated as 2.7 (ha)

### **Conclusion**

The principle of the proposed development is acceptable subject to the provisions of the South Dublin County Development Plan 2022 – 2028. Notwithstanding this, the applicant should address the issues as highlighted throughout the report by Additional Information.

### **Recommendation**

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The applicant is requested to submit further details of the solar panels including:
  - a) The number of panels
  - b) total area of panels per m<sup>2</sup>
  - c) Solar panel type i.e. monocrystalline, tracking, PV, concentrated solar panels, domestic / commercial, etc.
  - d) The output per panel
  - e) The total output overall including kW peak, annual kWh
2. The applicant should confirm how the proposed development would be connected to the ESB Grid Network. Should the development require a new 110Kv line connecting to the grid Network confirmation from An Bord Pleanála that the development does not constitute a Strategic Infrastructural Development will be required.
3. The applicant should submit the following information 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:

# **Comhairle Chontae Atha Cliath Theas**

**PR/1592/22**

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

- (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.

# Comhairle Chontae Atha Cliath Theas

PR/1592/22

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

REG. REF. SD22A/0407

LOCATION: College Lane, Greenogue, Rathcoole, Co. Dublin

  
\_\_\_\_\_  
Colm Harte,  
Senior Executive Planner

**ORDER:** I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

**Date:** 15/12/22

  
\_\_\_\_\_  
Gormla O'Corrain, Senior Planner