



An
Bord
Pleanála

Inspector's Report PL29N.249257

Development	Installation of a 3m high 'lamp post' style relief vent stack servicing the existing below ground natural gas pressure reduction unit.
Location	Donaghmede Avenue, Donaghmede, Dublin 13
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3249/17
Applicant(s)	Gas Networks Ireland
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third party
Appellant(s)	Donaghmede Estate Residents' Association
Observer(s)	None
Date of Site Inspection	8 th December 2017
Inspector	Donal Donnelly

1.0 Site Location and Description

- 1.1. The appeal site is located within an open space between Donaghmede Avenue and St. Donagh's Road in Donaghmede approximately 8km north-east of Dublin city centre.
- 1.2. The open space forms part of a linear park extending east to west from Howth Junction railway station to Streamville Close. This park is designated as a conservation area within the Dublin City Development Plan, 2016-2022.
- 1.3. The notional site boundary as shown on application drawings is rectangular in shape with dimensions of approximately 10m x 30m. The site is adjoined by the rear boundaries of no's. 89 and 90 St. Donagh's Road and there is an electricity sub-station to the rear of no. 90. A pedestrian pathway continues along the eastern boundary and the remainder of the site is surrounded by open space.

2.0 Proposed Development

- 2.1. Planning permission is sought for the following:
 - Installation of a 3m high 'lamp post' style relief vent stack servicing the existing below ground natural gas pressure reduction unit;
 - All ancillary services and associated site works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Dublin City Council issued notification of decision to grant permission subject to six conditions.
- 3.1.2. Condition 3 states that a clear distance of 3m shall be maintained between sewers and all structures on site. There is an existing public sewer running through the site.

3.2. Planning Authority Reports

- 3.2.1. The recommendation to grant permission, as outlined in the Planner's Report, reflects the decision of the Planning Authority.

- 3.2.2. Under the assessment of the application, it is noted that public service installations are permissible developments on Z9 zoned lands.
- 3.2.3. In terms of design and integration, it is noted that the above-ground structure will be read against a backdrop of parkland from the south and the rear boundary walls of residential development and parkland from the north.
- 3.2.4. It is considered that the proposed development will not have any significant impact on Natura 2000 sites and therefore Stage 2 Appropriate Assessment is not required.
- 3.2.5. The Case Planner concludes that the proposal would not injure the amenity of property in the vicinity and accords with the Development Plan.
- 3.2.6. The Drainage Division has no objection to the proposed development subject to conditions.

4.0 Planning History

- 4.1. None

5.0 Policy Context

5.1. Dublin City Development Plan, 2016-2022

- 5.1.1. The appeal site is zoned 'Z9' where the objective is *'to preserve, provide and improve recreational amenity and open space and green networks.'* A public service installation is a permissible use under this zoning category.
- 5.1.2. The site also lies within a conservation area.

5.2. Natural Heritage Designations

- 5.2.1. North Dublin Bay SAC and North Bull Island SPA are approximately 1.3km south-east of the appeal site.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A third party appeal against the Council's decision was lodged by the Donaghmede Estate Residents' Association (DERA). The grounds of appeal and main points raised in this submission are summarised as follows:

- Community so directly affected by this proposal have been ignored by the Council.
- Conditions 2, 3 & 4 of the Council's decision are irrelevant in the context of objections.
- DERA recently received seven awards at Council Neighbourhood Awards Ceremony and two of these awards are for projects located on the green space and another as close as 50m.
- Appellant's reservations set out in the objection to the Council remain the same (health, safety and welfare and lack of consultation)

6.2. Applicant Response

6.2.1. None

6.3. Planning Authority Response

6.3.1. None

7.0 Assessment

7.1. I consider that this appeal can be assessed under the following headings:

- Development principle;
- Visual impact;
- Impact on residential amenity; and
- Appropriate Assessment.

7.2. Development principle

- 7.2.1. The appeal site is zoned 'Z9' - *'to preserve, provide and improve recreational amenity and open space and green networks.'* A public service installation is a permissible use under this zoning category. The proposed development would therefore be acceptable in principle at this location.

7.3. Visual impact

- 7.3.1. The proposal is for a 3m high vent stack to service an existing sub-surface natural gas pressure reduction unit. At surface level, the unit currently comprises an inspection door with concrete surround located in an area of public open space. Pathways continue from east to west along the northern side of this space and there are linkages south to Kilbarrack Road (R104). There are also lines of trees to the west of the appeal site and the open space generally slopes from north to south.
- 7.3.2. The proposed development also lies within a conservation area which extends in a linear fashion mostly in the form of the public open space from Howth Junction station and west for a distance of approximately 1.6km to Millbrook Road. The location of St. Donagh's Well, a National Monument, is within this conservation area approximately 300m to the west of the appeal site.
- 7.3.3. Development Plan Policy CHC4 seeks *"to protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible."* In my opinion, the scale of the proposed structure and its context are relevant considerations in the case, as the structure is functional in appearance and would not therefore give rise to any enhancement of the conservation area.
- 7.3.4. The visual impact of the proposed stack will be lessened somewhat by its slender appearance and green colour, together with its location on the existing concreted area and at one end of a line of trees. There is also an electricity sub-station within a few metres of the proposed structure and there are no pedestrian pathways in close proximity.

- 7.3.5. The structure might be better situated at the edge of the public open space from a visual perspective; however, there is a vertical emphasis in the immediate area and the structure will not impede any pedestrian desire lines or active areas of public open space, such as pitches or meeting places.
- 7.3.6. Having regard to the limited scale and the location of the proposed ventilation stack, I consider that it is acceptable from a visual perspective in this public open space and conservation area. I would also be satisfied that additional landscaping and planting is not necessary to mitigate the visual impact of the proposed stack.

7.4. Impact on residential amenity

- 7.4.1. It would appear from the grounds of appeal submitted by the Donaghmede Estate Residents' Association that their main concern relates to matters of health, safety and welfare. Reference is also made to the local community's usage of the area of public open space.
- 7.4.2. The purpose of the relief stack is to release some gas into the atmosphere in the event of overpressure in the pressure reduction system. The 3m height is so that gas will not come in contact with pedestrians. It is stated by the applicant that the release of gas will be very infrequent and the volume minimal.
- 7.4.3. It is noteworthy that natural gas is less dense than air and therefore will rise in the atmosphere. I would therefore be satisfied that there will be no continuous malodour associated with the proposed installation. As noted above, I do not consider that the proposed stack will affect the usability of the public open space area having regard to the immediate context.
- 7.4.4. The nearest dwelling to the proposed structure will be at a distance of approximately 20m to the south and I would be satisfied that for the most part there will be no significant noise or odour issues affecting this property. Notwithstanding, the Board may consider it necessary to attach a condition to any grant of permission requiring the developer to keep a log of emissions to assist with the correlation and investigation of any odour complaints and also to ensure that the installation is sound proofed as far as is reasonably practicable. Such a condition was attached by the Board to PL91.245084 for development consisting of a safety enhancement to the existing gas mains network comprising a district regulator installation made up of a

pressure relief unit and associated 3.5m vent stack within a residential area in Co. Limerick. A similar condition would be appropriate in this case having regard to the proximity of dwelling houses.

7.5. Appropriate Assessment

- 7.5.1. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

8.0 Recommendation

- 8.1. It is considered that the proposed development should be granted for the reasons and considerations hereunder.

9.0 Reasons and Considerations

Having regard to the 'Z9' zoning objective for the site where public service installations are permissible, together with the design and small scale of the proposed development, and the pattern of development in the area, it is considered that subject to compliance with conditions below, the proposal would not seriously injure the visual amenities of the area or residential amenities of property in the vicinity, and would not adversely or materially impact on the character of the conservation area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the

development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The developer shall keep a log of emissions and advise the planning authority accordingly so as to assist with the correlation and investigation of any odour complaints from the area. The developer shall also ensure that the installation is sound proofed as far as is reasonably practicable in the interest of minimising the risk of any perceived noise nuisance being experienced by local residents.

Reason: In the interests of residential amenity.

3. Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interests of public health.

4. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interests of residential amenity.

Donal Donnelly
Planning Inspector

20th December 2017