

# Comhairle Chontae Atha Cliath Theas

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

### PR/1226/21

**Reg. Reference:** SD21A/0205      **Application Date:** 21-Jul-2021

**Submission Type:** New Application      **Registration Date:** 21-Jul-2021

**Correspondence Name and Address:** Stephen Mason Architectural & Planning Services 2, Clonkeefy, Castlerahan, Ballyjamesduff, Co. Cavan

**Proposed Development:** Retention sought for the removal of the ground floor internal courtyard with canopy over as per Planning Ref SD013A/0047; Works to include, external canopy above roof level removed, new storage room created at first floor level; ground floor area incorporated into lounge area; permission for reduction in size of lounge floor area; works to include new entrance doors to Lounge area within building elevation facing car park; new external fire exit door from Lounge area to open space to rear of the building; internal walls forming snug demolished complete ;Floor area included within lounge area; kitchen extension within part of previous Lounge area; relocation of Off Licence into previous Lounge area; entrance doors to Off Licence are previous entrance doors to lounge area; works to include new window to Off Licence within building elevation facing car park; change of use of previous Off Licence to takeaway; internal layout changes to lounge area public toilets; remove internal doors between Lounge area and entrance.

**Location:** Boomers Public House, Knockmitten Neighbourhood Centre, Clondalkin, Dublin 22

**Applicant Name:** Honeybridge Ltd.

**Application Type:** Permission and Retention

(SW)

### Description of Site and Surroundings:

Site Area: Stated as 0.038ha

### Site Description:

The site is an existing public house within a local centre.

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### **Proposal:**

Retention sought for:

1. the removal of the ground floor internal courtyard with canopy over as per Planning Ref SD013A/0047; Works to include,
  - o external canopy above roof level removed,
  - o new storage room created at first floor level;
  - o ground floor area incorporated into lounge area;

Permission for:

1. Reduction in size of lounge floor area; works to include
  - a. new entrance doors to Lounge area within building elevation facing car park;
  - b. new external fire exit door from Lounge area to open space to rear of the building;
  - c. internal walls forming snug demolished complete. Floor area included within lounge area;
2. kitchen extension within part of previous Lounge area;
3. relocation of Off Licence into previous Lounge area; entrance doors to Off Licence are previous entrance doors to lounge area; works to include
  - a. new window to Off Licence within building elevation facing car park;
4. change of use of previous Off Licence to takeaway;
5. internal layout changes to lounge area public toilets;
6. remove internal doors between Lounge area and entrance.

### **Zoning:**

The site is subject to zoning objective - 'LC' '*To protect, improve and provide for the future development of Local Centres.*'

### **Consultations:**

*Irish Water:* Additional Information requested.

*Water Services Section:* Additional Information requested.

*Roads section:* No objections.

*Parks:* Request additional information.

*Architectural Conservation Officer:* No comment received.

*Environmental Health Officer:* No objections subject to conditions

*Chief Fire Officer:* No report received.

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

None.

### **Relevant Planning History**

*Subject Site*

SD13A/0047 Retention of 2 no. canopies above roof level, over new ground floor; internal courtyard and new first floor rooftop terrace. **Retention Permission Granted.**

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SD12A/0031 Retention of timber shopfront & fascia to car park side & roadside elevations. **Retention Permission Granted.**

ED11/0007 Internal alterations at ground and first floor level timber shopfront and fascia with signage to car park side and roadside elevations of the building. **Declared Not Exempt**

SD08A/0419 Timber & glass canopy structure on the front elevation of the building facing the public road and planting boxes on top of the boundary wall facing the public road, in lieu of the awning structure as per previous grant of Planning Permission SD05A/0543 **Retention Permission Granted.**

SD05A/0543 Retention of an awning structure on the front elevation of the building facing the public road. **Retention Permission Granted**

SD04A/0346 Change of use of existing ground floor shop unit from retail to use as an off-licence by way of an extension to Boomers Public House. **Permission Granted.**

SD02A/0386 Change of use from retail to takeaway at ground floor and from offices to restaurant at first floor. **Permission Granted.**

S01A/0432 Ground floor extension to rear of existing shop unit. **Permission Granted.**

S00A/0008 Two storey development comprising of retail at ground floor and local offices at first floor on site adjoining the licensed premises at Knockmitten Shopping Centre, and for a single-storey community building on public lands adjoining Knockmitten Shopping Centre with access from Monastery Walk. **Permission Granted.**

S99A/0530 Change of use of existing retail unit to betting office and an extension to the rear. **Permission Granted.**

S98A/0466 Retention of the existing basement store and shop front to off licence. Also retention, for a three year period only, of the existing temporary fencing around the adjacent site including two no. metal containers within the boundary of the temporary fencing. **Permission Refused.**

### **Relevant Enforcement History**

S7707 the erection of a metal/security type fence which may exceed 2 metres in height without PP Lands at rear of Boomers, Dutch Village Shopping Centre, Woodford walk **Live File**

S6630 Roofed structure erected poss w/o pp Boomers Licensed Premises, Dutch Village, Clondalkin, Dublin 22. **Retention Permission Granted.**

s4147 smoking area without P.P/flagpoles on top of pub **File closed - no action required**

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### Pre-Planning Consultation

None relating to the proposed development.

Pre-planning as follows:

PP107/20 Construction of a 2 storey flat roof extension on top of the footprint of ground floor of existing building, to provide at new second floor level 11 bed and breakfast rooms (new floor area 668m<sup>2</sup>) and at new third floor level 12 aparthotel studio units (new floor area 709m<sup>2</sup>). Total floor area provided = 1377m<sup>2</sup>. Works to existing building to provide for extension include, (a) removal of pitched roof over function room and restaurant, (b) partial demolition of external walls,(c) forming new window openings and infilling existing window openings within existing external walls (d) Increase in height of front entrance tower feature. (e) Removal of 2 above roof level canopies. Canopies as per previous Planning Permission ref SD13A/0047. Change of use of first floor Restaurant to bed and breakfast and aparthotel entrance. Accommodation provided at this level include fully serviced reception desk and administration area, housekeeping and staff facilities. Construction of a 4 storey extension to the existing building and 2 storey flat roof extension to provide entrance to the upper floor aparthotel units, and with a new lift within to provide access to the upper floor aparthotel units. From ground floor level the access to the aparthotel at first floor level is via the existing stairs (which currently provides access to the existing first floor restaurant). Floor area = 28m<sup>2</sup>/floor = 112m<sup>2</sup> total spread over 4 floors. Internal alterations within existing ground floor Lounge area to create Off Licence. Works include new door within external elevation, in lieu of window. Extension to ground floor Bar area on the front elevation of the building facing the public road (extension floor area 25m<sup>2</sup>). Extension involves new glazed external walls only built to underside of the timber and glass canopy structure. Timber and glass canopy structure as per previous Planning Permission ref SD08A/0419. Internal alterations to ground floor Lounge area, to create additional Lounge floor area (additional floor area 26m<sup>2</sup>). Works include removal of walls forming internal courtyard. New first floor over. Internal alterations at first floor level to create new store (floor area 11m<sup>2</sup>) in lieu of void. Internal alterations at first floor level to create new store (floor area 37m<sup>2</sup>) in lieu of rooftop terrace (incl. removal of above roof level canopy). New external signage, Render finish to part existing brickwork external walls. Connections to all services.

PP074/18 works to existing building to provide 11 Aparthotel at 2nd floor and 12 units at new 3rd floor level total number of units 25 spread over three floors.

### Relevant Policy in South Dublin County Council Development Plan (2016-2020)

Section 4.5.0 Tourism and Leisure

*Policy ET 5 Tourism Infrastructure*

*Section 5.10 Urban Centres*

Policy R8 Local Centres: It is the policy of the Council to maintain and enhance the retailing function of Local Centres.

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R8 Objective 1: To support the development of Local Centres as sustainable, multifaceted, retail led mixed use centres.

R8 Objective 2: To ensure that the scale and type of retail offer in Local Centres is sufficient to serve a local catchment, without adversely impacting on or drawing trade from higher order retail centres.

### *5.8.0 Fast Food Outlets/Takeaways*

Policy R10: It is the policy of the Council to manage the provision of fast food outlets and takeaways.

R10 Objective 1: To prevent an excessive concentration of fastfood outlets/takeaways and ensure that the intensity of any proposed use is in keeping with both the scale of the relevant building and the pattern of development in the area.

R10 Objective 2: To restrict the opening of new fast food/takeaway outlets in close proximity to schools so as to protect the health and wellbeing of school-going children.

### *5.9.0 Off-Licence/Betting Office*

Policy R11 It is the policy of the Council to manage the provision of off-licences and betting offices and to prevent an excessive concentration of these land uses.

R11 Objective 1: To prevent an excessive concentration of off-licence and betting offices.

UC1 Objective 1:

To direct retail, commercial, leisure, entertainment, civic, community and cultural uses into town, village, district and local centres and to achieve a critical mass of development and a mix of uses that is appropriate to each level in the urban hierarchy.

UC1 Objective 4:

To promote a high standard of urban design in urban centres that contributes to the creation of safe and attractive streets and spaces and creates desirable places to work, live and visit.

UC1 Objective 6:

To improve the accessibility of town centres from the surrounding catchment area through public transport provision, sustainable transport infrastructure and the road network, and incorporate good local linkages between car parks, public transport stops, cycle parking facilities and the various attractions within the centre (see Chapter 6.0 Transport and Mobility for further detail).

### *URBAN CENTRES (UC) Policy 5 Local Centres*

It is the policy of the Council to encourage the provision of an appropriate mix, range and type of uses in Local Centres, including retail, community, recreational, medical and childcare uses, at a

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scale that caters predominantly for a local level catchment, subject to the protection of the residential amenities of the surrounding area.

*UC5 Objective 1:* To support the improvement of local centres, and encourage the use of upper floors, with due cognisance to the quality of urban design, integration, linkage, accessibility and protection of residential amenity.

*UC5 Objective 2:* To support and facilitate the location of small scale community facilities within accessible local centres and as part of large scale commercial development where a deficiency in community space is demonstrated, subject to adaptable design for a variety of uses.

*UC5 Objective 3:* To improve walking and cycling infrastructure within the local catchment of centres.

### *Policy C12 Open Space*

It is the policy of the Council that a hierarchical network of high quality open space is available to those who live, work and visit the County, providing for both passive and active recreation, and that the resource offered by public open spaces, parks and playing fields is maximised through effective management.

### *Policy UC6 Building Heights*

It is the policy of the Council to support varied building heights across town, district, village and local centres and regeneration areas in South Dublin County.

### *Section 6.3.0 Walking And Cycling*

#### *Policy TM3 Walking and Cycling*

It is the policy of the Council to re-balance movement priorities towards more sustainable modes of transportation by prioritising.

### *Section 6.4.3 Road and Street Design*

#### *Section 6.4.4 Car Parking*

#### *Policy TM7 Car Parking*

### *Section 7.1.0 Water Supply & Wastewater*

#### *Policy IE1 Water & Wastewater*

It is the policy of the Council to work in conjunction with Irish Water to protect existing water and drainage infrastructure and to promote investment in the water and drainage network to support environmental protection and facilitate the sustainable growth of the County

### *Section 7.2.0 Surface Water & Groundwater*

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### *Policy IE2 Surface Water & Groundwater*

It is the policy of the Council to manage surface water and to protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

### *Section 7.3.0 Flood Risk Management*

### *Policy IE3 Flood Risk*

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

### *Section 8.0 Green Infrastructure*

### *Policy G1 Overarching*

### *Policy G1 Green Infrastructure Network*

### *Policy G3 Watercourses Network*

### *Policy G4 Public Open Space and Landscape Setting*

### *Policy G5 Sustainable Urban Drainage Systems*

### *Policy G6 New Development in Urban Areas*

### *Section 9.3.1 Natura 2000 Sites*

### *Policy HCL12 Natura 2000 Sites*

### *Section 10.0 Energy*

### *Policy E4 Energy Performance in New Buildings*

### *11.2.0 – Place Making and Urban Design*

### *Section 11.2.0 Place Making and Urban Design*

### *Section 11.2.1 Design Statements*

### *Section 11.2.7 Building Height*

### *Section 11.3.6 (iii) Fast Food / Takeaway*

*Fast Food/Takeaway Outlets Fast food outlets have the potential to cause disturbance, nuisance and detract from the amenities of an area and as such, proposals for new or extended outlets will be carefully considered. Development proposals for fast food/takeaway outlets will be strictly controlled and all such proposals are required to address the following: The potential effect and the proximity of fast food outlets or take away outlets to vulnerable uses, such as schools or parks. The cumulative effect of fast food outlets on the amenities of an area. The effect of the proposed*

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*development on the existing mix of land uses and activities in an area. Opening/operational hours of the facility. The location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

*Section 11.4.1 Bicycle Parking Standards*

*Table 11.22: Minimum Bicycle Parking Rates*

*Section 11.4.2 Car Parking Standards*

*Table 11.24: Maximum Parking Rates (Residential Development)*

*Section 11.4.3 Car Parking for Electric Vehicles*

*Section 11.4.4 Car Parking Design and Layout*

*Section 11.4.5 Traffic and Transport Assessments*

*Section 11.6.1 (i) Flood Risk Assessment*

*Section 11.6.1 (ii) Surface Water*

*Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)*

*Section 11.6.1 (iv) Groundwater*

*Section 11.6.1 (v) Rainwater Harvesting*

*Section 11.6.1 (vi) Water Services*

*Section 11.7.2 Energy Performance in New Buildings*

*Landscape Character Assessment of South Dublin County (2015)*

*Section 11.8.1 Environmental Impact Assessment*

*Section 11.8.2 Appropriate Assessment*

### **Relevant Government Guidelines:**

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

*Urban Design Manual: A Best Practice Guide*, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

*Design Manual for Urban Roads and Streets*, Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport, (2013).

*Sustainable Rural Housing Guidelines for Planning Authorities*, DoEHLG (2005)



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*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)

*Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice*, Building Research Establishment, (1991)

*Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020*, Department of Transport, (2009)

*National Cycle Manual*, National Transport Authority, (June 2011)

### Assessment

The main issues for consideration are zoning, Council Policy, Visual amenity, Access/Parking, Landscape, Services & Drainage and waste management.

### *Zoning and Council Policy*

The subject site is subject to zoning objective 'LC' - '*To protect, improve and provide for the future development of Local Centres.*'

Public House is permitted in principle within this zoning. The proposed development would alter an existing public house. The principle of the proposed alterations to the public house are therefore considered acceptable.

The proposal would also result in the change of use from off-license to hot food take away

Schedule 5 of the County Development Plan defines Takeaways as: *A premises used for the sale of hot food for consumption off the premises.* Takeaways are not set out within the land use zoning matrix. Restaurant/Café, Shop-Neighbourhood and Shop-Local are permitted in principle within this land use zoning.

### Criteria for Assessing Takeaways

The County Development Plan contains the following criteria in section 11.3.6 (iii). Additionally, under policy R10 the main objectives relating to takeaways are to avoid over proliferation and to restrict new outlets opening in close proximity to schools. The application is assessed under the criteria below.

- *The potential effect and the proximity of fast food outlets or take away outlets to vulnerable uses, such as schools or parks.*

The proposed development is located within Knockmitten Local Centre. There are also no schools within less than a 500m radius from the proposed development (only pre-schools)

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- *The cumulative effect of fast food outlets on the amenities of an area. The effect of the proposed development on the existing mix of land uses and activities in an area.*

The proposal is within a Local Centre. There is currently a mix of uses within the centre, including pharmacy, betting shop and newsagent/mini-supermarket. It is not considered the addition of this fast food outlet would be detrimental to the function of the Local Centre. The proposed development would replace an off licence, which would be relocated within the public house.

- *Opening/operational hours of the facility.*

The proposal would operate the same hours as existing take away, i.e.

Mon-Wed 16.00-22.00

Thurs and Fri 16.00-23.00

Saturday 14.00-23.00

Sunday 14.00-22.00

- *The location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.*

It is considered that a development on this scale is appropriate for a Local Centre. The EHO has raised no objections, subject to conditions.

In summary, the proposal accords with Section 11.3.6 and the policies of the CDP on fast food takeaways.

An off licence is also proposed as part of the development. Policy R11 states it is the policy of the Council to manage the provision of off-licences and betting offices and to prevent an excessive concentration of these land uses. Given the proposal is to relocate an existing off licence it is considered acceptable in principle.

### *Council Policy/Enforcement*

It is noted that there is live enforcement case file open. It should be noted that, should planning permission be granted, it would not regulate any unauthorised development and permission is given for development as described in the notices only.

### *Design and Visual Impact*

Section 5.1.0 Policy 1 Urban Centres Overarching of the South Dublin County Development Plan 2016-2022 under UC1 Objective 4: states:

*To promote a high standard of urban design in urban centres that contributes to the creation of safe and attractive streets and spaces and creates desirable places to work, live and visit.*

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Retention sought for:

1. the removal of the ground floor internal courtyard with canopy over as per Planning Ref SD013A/0047; Works to include,
  - external canopy above roof level removed,
  - new storage room created at first floor level;
  - ground floor area incorporated into lounge area.

There would be no significant impact on visual amenity as a result of these changes.

Permission for:

1. Reduction in size of lounge floor area; works to include
  - new entrance doors to Lounge area within building elevation facing car park;
  - new external fire exit door from Lounge area to open space to rear of the building;
  - internal walls forming snug demolished complete. Floor area included within lounge area.

The new entrance door to the car park would be the same style as the existing door to the lounge. The external fire door to the open space would add a feature to a façade that is currently blank (with the exception of the existing windows and fire exit at far end). The internal alterations would have no impact on the visual amenity of the area.

It is apparent that there is an existing concrete area outside the proposed fire exit. The Planning Authority is concerned that this feature is outside the red and blue line and is located within an area of open space. Whilst not forming part of this application, the Planning Authority has concerns regarding the encroachment into open space. There also appears to be a concrete plinth and another structure within this area. The applicant is requested to clarify, via **additional information**, how the proposed development interacts with these features outside the redline. It is not apparent that this land is within the ownership of the applicant or that these features have planning permission. A letter of consent should be submitted from the land owner stating the use of the land for fire escape purposes is acceptable.

2. kitchen extension within part of previous Lounge area.

This would not result in any external alterations.

3. relocation of Off Licence into previous Lounge area; entrance doors to Off Licence are previous entrance doors to lounge area; works to include
  - new window to Off Licence within building elevation facing car park.

A new front facing shop style window would be located to the front of the proposed off licence. This would be of a similar style to the existing takeaway/off license windows and is acceptable in terms of visual amenity.

4. change of use of previous Off Licence to takeaway.

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No impact on visual amenity.

5. internal layout changes to lounge area public toilets.

No impact on visual amenity.

6. remove internal doors between Lounge area and entrance.

No impact on visual amenity.

Having regard to the limited visual changes proposed and the desire to maintain active uses at in urban centres, it is considered that the proposed development is acceptable in terms of visual amenity. However, there are concerns about how the site interacts with features to the rear of the property that are currently outside the red line. For this reason, **additional information** is requested.

### ***Residential Amenity***

The proposed development is within a Local Centre and would have no significant impacts on the residential properties in proximity to the site above those already experienced. There are no objections from the EHO. The proposed development is considered acceptable in this regard.

### ***Traffic, Mobility Management and car parking***

There are no objections from Roads.

### ***Landscaping and Open Space***

Parks has stated that their main concern is *“Impact on public open space: the proposals involve use of concrete paving area in an area of public open space to the rear of the building. This appears to be unauthorised development”*.

As stated above, **additional information** is required in this regard. Should the red line change as a result of the additional information, the changes would be deemed significant.

### ***Services and Drainage***

Irish Water has requested additional information relating to drainage layout and also feasibility. Water Services has requested additional information in relation to surface water.

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### *Environmental Health*

The proposal was reviewed by the EHO who has no objection to the proposal subject to a number of conditions.

### *Waste Management & Recycling*

It is not apparent that the proposed development would impact on these features.

### *Appropriate Assessment*

Having regard to the scale and nature of the development proposed and the distance from Natura sites, it is considered that the development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site, therefore Stage 2 Appropriate Assessment is not required.

### *Environmental Impact Assessment*

Having regard to the modest 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.

### *Development Contributions*

Additional floor area – courtyard to lounge – 26sq.m (retention)

Change of use off licence to take away 60sq.m

Change of use public house to off license 47sq.m

### *SEA Monitoring*

**Building Use Type Proposed** Pub, off license, takeaway

**Floor Area (sq.m)** 26sq.m

**Land Type** Brownfield/Urban Consolidation

**Site Area (Ha.)** 0.038

### Conclusion

The proposed development is acceptable in principle. Having regard to the:

- provisions of the South Dublin County Council Development Plan 2016-2022,
- the overall design and scale of the development proposed,

it is considered **additional information** is required to ensure that the proposed development is acceptable and would not seriously injure the amenities of the area.

### Recommendation

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

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1. The applicant is requested to:
  - (i) provide a letter of consent indicating the proposed fire access onto the proposed open space is acceptable. If a letter of consent is not possible revised fire exit arrangements should be proposed within revised drawings.
  - (ii) to clarify whether any structures present in the open space are proposed to be used as part of this development.

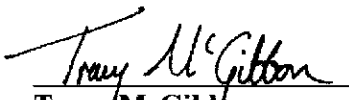
It should be noted that if there are changes to the red line, these would be considered significant and revised newspaper and site notices would be required.
2. (a) There is no drawing showing the surface water layout or surface water attenuation for proposed development. The applicant is requested to submit a drawing showing the surface water layout for the proposed development up to and including the point of connection to the public sewer. The drawing shall the location of all Aj's, manholes, pipe size and direction of flow. The applicant is requested to submit a report showing what if any surface water attention is proposed for the development. Surface water discharge from the site should be at greenfield runoff rates or 2 litres/second which ever rate is higher as per the Greater Dublin Regional Code of Practice for Drainage Works. Maps of the public mains foul and surface water drainage networks may be obtained, if available, for required locations in South Dublin County Council by emailing: [servicemaps@sdbublincoco.ie](mailto:servicemaps@sdbublincoco.ie).  
(b) The applicant is requested to submit a report and drainage drawing showing what SuDS (Sustainable Drainage Systems) are proposed for the development.  
Examples of SuDS include:
  - Planter boxes with overflow connection to the public surface water sewer.
  - Permeable Paving
  - Green roofs and other such SuDS.
3. The applicant is requested to:
  - (a) obtain a letter of confirmation of feasibility from Irish Water for the proposed development, for both water supply and foul.
  - (b) submit a drawing(s) showing the surface water layout and foul water layout of the proposed development.

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**REG. REF. SD21A/0205**

**LOCATION: Boomers Public House, Knockmitten Neighbourhood Centre, Clondalkin,  
Dublin 22**

  
**Tracy McGibbon,  
A/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:** 14/9/21

  
**Eoin Burke, Senior Planner**