

Comhairle Chontae Atha Cliath Theas

PR/0132/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0323 **Application Date:** 29-Nov-2021
Submission Type: New Application **Registration Date:** 29-Nov-2021

Correspondence Name and Address: Manahan Planners 38, Dawson Street, Dublin 2

Proposed Development: Construction of single storey drive through coffee shop pavilion within the existing carpark of Lucan Retail Park; building total floor area of 170.45sq.m and would operate for the sale and consumption, on and off the premises of food and beverages; development will include the reconfiguration of section of existing carpark; removal of 45 car parking spaces to make way for proposed building; vehicle circulation route and collection point; existing carpark to be reduced from 285 to 240 car spaces; all ancillary site works including drainage, external seating, cycle parking, signage location and landscaping.

Location: Lucan Retail Park, Ballydowd, Lucan, Co. Dublin

Applicant Name: New Ireland Assurance Company PLC

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 0.14065 Hectares on the application.
Site Visit: 20th of January 2022.

Site Description

The subject site is located in the eastern corner of the Lucan Retail Park and consists of part of the area of surface car parking and the front of the site. The retail park is located to the north of N4 with residential development to the west and agricultural lands to the north. The site is accessed vehicularly via a roundabout to the east.

Proposal

Permission is being sought for the construction of the following works:

- A single storey drive through coffee shop pavilion within the existing carpark of Lucan Retail Park;

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- Building total floor area of 170.45sq.m and would operate for the sale and consumption, on and off the premises of food and beverages;
- Development will include the reconfiguration of section of existing carpark;
- Removal of 45 car parking spaces to make way for proposed building;
- Vehicle circulation route and collection point;
- Existing carpark to be reduced from 285 to 240 car spaces;
- All ancillary site works including drainage, external seating, cycle parking, signage location and landscaping.

Zoning

The subject site is subject to zoning objective 'RW': *'To provide for and consolidate retail warehousing'* under the South Dublin County Development Plan 2016-2022.

Consultations

Water Services – further information requested.

Irish Water – no objection subject to conditions.

Roads Department – further information requested.

Public Realm Section – no objection subject to conditions.

H.S.E. Environmental Health Officer – no report received.

SEA Sensitivity Screening – no overlap is recorded in the SEA monitoring system.

Submissions/Observations /Representations

A third party submission was received raising the following points in summary:

- No objection to the principle of the development and welcomes the continued expansion of businesses in the Lucan Retail Park.
- Concern with the scale of signage box.
- Due to the height of the signage box the building appears as a two storey structure.
- Signage is excessively large for its position at the entrance and will constitute visual clutter.
- In the event of a grant of permission a condition should be attached omitting the roof signage box and instead provide for signage on the fascia of the building.
- Materially contravene signage policy in the County Development Plan.

This submission has been reviewed in full and taken into consideration in the assessment of the proposal.

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Relevant Planning History

SD10A/0229

- (1) The interconnection of Units, 5, 6 and 7 and the construction of a single storey extension to these units - the gross floor area of the units will increase by 615sq.m. to an overall gross area of (1627sq.m.);
- (2) the change of use of Units 5, 6 & 7 from retail warehouse to a discount food store; (3) the construction of a new detached retail warehouse unit complete with mezzanine level, adjacent to the main entrance used to re-locate an existing tenant;
- (4) the creation of a new pedestrian entrance at the north west corner of the site;
- (5) all associated site works.

Permission refused for the following reason:

Having regard to the objection E zoning of the site 'To provide for Enterprise, Employment and Related Uses', history of the site as a retail warehouse campus, location of the site removed from any existing or designated town centres, the development plan policies for South Dublin County Council 2004-2016 and the Retail Planning Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government in January 2005, it is considered that the proposed development, in particular the conversion of permitted retail warehouse units to accommodate a discount food store would be contrary to the objectives of the Retail Planning Guidelines, would be detrimental to the vitality and viability of the designated Town Centre at Liffey Valley and adjacent district centres, and would furthermore set an undesirable precedent for similar conversion from 'retail warehousing' to retailing at other similar locations. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

S01A/0034

New internally illuminated sign to front of premises. **Permission granted.**

S00A/0736

Retention of 9 no. uplighters (to illuminate facade/signage) to the front elevation. **Permission refused.**

S99A/0588

To erect external free standing internally illuminated triple sided pole sign located on the south east boundary adjacent east bound N4 carriageway. **Permission refused.**

Relevant Enforcement History

None active. Previous enforcement files for signage etc. now closed.

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Pre-Planning Consultation

PP220/17

Construction of coffee pod retail unit, alterations to existing layout of carpark, relocation of existing pedestrian entrance and associated site works.

Relevant Policy in South Dublin County Council Development Plan 2016 – 2022

7 Infrastructure & Environmental Quality

Policy IE1 Water & Wastewater

Policy IE2 Surface Water & Groundwater

Policy IE5 Waste Management

Policy IE7 Environmental Quality

8 Green Infrastructure

Policy G1 Overarching

Policy G2 Green Infrastructure Network

Policy G5 Sustainable Urban Drainage Systems

Policy G6 New Development in Urban Areas

9 Heritage, Conservation & Landscapes

Policy HCL1 Overarching

Policy HCL15 Non-Designated Areas

11 Implementation

Section 11.2.7 Building Height

Section 11.2.8 Signage – Advertising, Corporate and Public Information

Section 11.2.9 Shopfront Design

Section 11.3.6 Retail Development

Section 11.4.1 Bicycle Parking Standards

Section 11.4.2 Car Parking Standards

Section 11.6.1 Water Management

Section 11.6.3 Environmental Hazard Management

Section 11.6.5 Waste Management

Section 11.7.1 Energy Performance in New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Schedule 6 Outdoor Advertising Strategy

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Relevant Government Guidelines

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

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

Assessment

The main issues for assessment relate to:

- Zoning and Council Policy;
- Visual Amenity;
- Landscaping;
- Traffic and Parking;
- Services and Drainage;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Zoning and Council Policy

The subject site is zoned 'RW': *'To provide for and consolidate retail warehousing'*. The proposed development is for a coffee shop and would operate for the sale and consumption, on and off the premises, of food and beverages. Restaurant/Café is Open for Consideration under this zoning. The proposed use may therefore be acceptable subject to detailed assessment against the principles of proper planning and sustainable development, and the relevant policies, objectives and standards set out in the County Development Plan.

Visual Amenity

The proposed development would involve the construction of a building in the eastern part of the site. The building would be single storey, approx. 3.9 m in height, with a signage structure at roof level resulting in an overall height of approx. 6.8 m. It would have a flat roof across the building and signage structure. The building would be located approx. 6.7 m to 6.8 m from the front boundary and approx. 49.1 m from the existing building in the retail park. The proposed building would be of a contemporary design with wood and eternity equitone façade panels. The overall design and scale of the building is considered to be acceptable in terms of visual amenity. However, the visual impact of the signage structure at roof level is considered further below.

A third party submission has raised concerns in regard to the visual impact of the proposed signage structure at the roof level of the building. Overall, the signage proposal would include signage on the northern (side) and western (rear) elevations of the building, on the roof level structure and

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along the drive through. Signage proposals are subject to assessment under Section 11.2.8 and Schedule 6 Outdoor Advertising Strategy of the County Development Plan. As per Figure 1 of Schedule 6 the site is located within Zone of Advertising Control 2. Outdoor advertisements are permitted within this zone subject to special development management measures set out in Section 7.

The site is not located within or proximate to any Protected Structures, Architectural Conservation Areas or Views and Prospects. It is also well setback from existing residential development, with the nearest residential properties being located across the N4. There are a number of existing signs on the façade of the existing building at the retail park. While the Planning Authority does not oppose additional signage at this location to advertise the coffee shop, it is considered that the signage at roof level could be better incorporated into the building so as not to be so visually obtrusive. **The applicant should submit via additional information a revised signage proposal omitting the signage structure at roof level and revising the signage to fully comply with Section 11.2.8 and Schedule 6 of the County Development Plan.**

It is noted that the proposal must meet the safety requirements of Transport Infrastructure Ireland (TII). **A letter from TII regarding the proposed development should be submitted via additional information.**

Landscaping

Limited detail on landscaping has been submitted. The existing hedgerows along the front boundary are to be retained which is welcomed. Where part of the front entrance is being reconfigured, new fencing is proposed to match existing. The Public Realm Section have reviewed the proposed development and have no objection subject to a condition requiring that a detailed landscape plan be submitted and agreed prior to commencement of development:

Prior to the commencement of Development, a fully detailed landscape plan shall be submitted and agreed with the Public Realm Section, with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The landscape Plan shall include hard and soft landscaping including levels, sections and elevations in addition the applicant is requested to submit a fully detailed Planting Plan for boundary planting/hedgerows for the development. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion of the development, whichever is the sooner. Details shall include:

- i. a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;*
- ii. location, type and materials to be used for hard landscaping including specifications, where applicable for:*

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- a) permeable paving
 - b) tree pit design
 - c) underground modular systems
 - d) Sustainable urban drainage integration
 - iii. a schedule detailing sizes and numbers/densities of all proposed trees/plants;
 - iv. specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
 - v. types and dimensions of all boundary treatments
- All soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced.

This report is noted. **However, it is considered that this should be addressed via additional information.**

Traffic and Parking

The proposed development would involve the rearrangement of the car parking at Lucan Retail Park. The Roads Department has reviewed the proposed development and state the following:

Roads Assessment: The site is located at Lucan Retail Park, which is bounded by Lucan By-Pass to the south, Ballyowen Road to the east and the Lucan Road (R120) to the north and east. There are ample car parking spaces available the northern and eastern portion of the site is used as car park for the retail park, which currently provides 285 no. car parking spaces. The site is accessed via a small roundabout off the R120 (Lucan Road).

Traffic and Transport Assessment: The TTA concludes that the development will generate a small increase in traffic but will have a negligible impact on the surrounding network and in particular the nearby roundabout. Roads Department recommend that this planning application should be forwarded to the TII for comment due its proximity with the N4.

Car Parking: The parking on the site is being reduced by this development. The existing site has 285 car parking spaces and applicant proposed new extension which will result in loss of 45 car parking bays at surface level, resulting in a total of 240 car parking bays available. SDCC County Development Plan 2016-2022 sets out maximum car parking spaces required for a café as 1 per 15 sq.m GFA. Proposed development would require 11 no, parking spaces for the coffee shop use, as the development is located within Lucan Retail Park where adequate parking for additional required car parking is available for the proposed development. SDCC Roads Department is satisfied with the provision of car parking spaces at the development. As the site is located

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alongside a QBC a reduction in the carparking would be permissible. Therefore, Roads accept that 240 car spaces are quite adequate.

Bicycle Parking: The applicant has not included any details on the proposed bicycle parking spaces for the proposed development.

The applicant shall submit a revised layout showing, provision of bicycle parking spaces in line with SDCC bicycle parking standards (please refer to Table 11.22: Minimum Bicycle Parking Rates.

Bin Storage: The applicant shall submit a bin collection arrangement and location. Including an auto-track of how the refuse vehicle can access the site and collect waste within the development.

Pedestrian Access: No Measurement is shown for the proposed footpaths at the proposed development, footpath must be a minimum of 2.0m wide. The applicant shall submit a revised layout showing a minimum 2.0m wide footpath to accommodate mobility impaired users at the proposed development.

Public Lighting: The applicant has not submitted a public lighting design for the proposed development. Prior to commencement a Public Lighting Design for the development must be submitted and agreed by the Public Lighting team of SDCC.

Construction and Demolition Waste Management Plan: The applicant has submitted an outline CDWMP. Prior to commencement of development a developed Construction and Demolition Waste Management Plan shall be agreed in writing with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

Construction Traffic management plan: The applicant has not submitted Construction Traffic management plan. Prior to commencement of development a developed Construction Traffic management plan shall be agreed in writing with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

Roads recommend that additional information be requested from the applicant:

- 1. Roads Department recommends that the applicant shall submit to planning authority a letter of no objection from TII for the proposed development.*

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2. *The applicant shall submit a revised layout showing a provision of bicycle parking spaces consistent with SDCC standards, please refer to "Table 11.22: Minimum Bicycle Parking Rates" of the county development plan 2016-2022.*
 - a. *All external bicycle parking spaces shall be covered.*
3. *The applicant shall submit a revised layout showing a minimum 2.0m wide footpath to accommodate mobility impaired users at the proposed development.*
 - a. *Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.*
4. *The applicant shall submit a revised layout showing provision for the charging of electric vehicles. 100% of surface car parking spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 10% of surface car parking spaces must be provided with electric vehicle charging points initially. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. REASON: In the interest of sustainable transport.*
5. *The applicant shall submit a revised layout showing a provision of bicycle parking spaces consistent with SDCC standards, please refer to "Table 11.22: Minimum Bicycle Parking Rates" of the county development plan 2016-2022.*

Should the permission be granted, the following conditions are suggested:

1. *Prior to commencement of development, the applicant shall submit a revised layout showing a provision of bicycle parking spaces consistent with SDCC standards, please refer to "Table 11.22: Minimum Bicycle Parking Rates" of the county development plan 2016-2022.*
 - a. *All external bicycle parking spaces shall be covered.*
2. *Prior to commencement of development, the applicant shall submit a revised layout showing a minimum 2.0m wide footpath to accommodate mobility impaired users at the proposed development.*
 - a. *Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.*
3. *Prior to commencement of development, the applicant shall submit a revised layout showing provision for the charging of electric vehicles. 100% of surface car parking spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 10% of surface car parking spaces must be provided with electric vehicle charging points initially. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric*

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charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. REASON: In the interest of sustainable transport.

4. *The proposed signage shall meet the criteria for signage as outlined in SDCC CDP section 11.2.8. and table 11.9.*
5. *Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme with South Dublin County Council Lighting Department. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department.*
6. *All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed. Updated SDCC Taking in Charge standards.*
7. *Prior to commencement of development a developed Construction Traffic Management Plan shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.*
8. *Prior to commencement of development a developed Construction & Demolition Waste Management Plan shall be submitted and agreed with the planning department. The agreed plan, along with the written agreement of the planning department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.*
9. *A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be agreed with the roads department and the agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.*

This report is noted and **should be requested via additional information.** The proposed development would involve the provision of 4 no. bicycle parking spaces. The Planning Authority agrees that insufficient information has been provided demonstrating the proposal's compliance with the minimum bicycle parking rates under the County Development Plan and this should be addressed via additional information.

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Services and Drainage

It is proposed to attenuate surface water through the use of an attenuation tank. Water Services have reviewed the proposed development and request further information in relation to surface water:

1.1 The proposed stormtech attenuation tank capacity of 26.6m³ is undersized by approximately 8% for a 30 year storm event and undersized by 53% for a 100-year storm event. There shall be a minimum clear distance of 5m between the proposed attenuation system and the proposed building.

1.2 Submit a revised report and drawing showing increased surface water attenuation. This additional attenuation required of 8% and 53% for 1 in 30 and 1 in 100 year respectively should be by means of SuDS System. Examples of SuDS include,

- Green roof
- Detention basins
- Swales
- Grass crete, Permeable paving
- Tree pits
- Planter boxes
- Other such SuDS

1.3 Only as a last resort should an arched type attenuation system be used to attenuate surface water.

This report is noted, and a revised surface water proposal **should be requested via additional information**. In accordance with Council policy Sustainable Urban Drainage Systems should be incorporated into the proposal with underground attenuation used as a last resort.

Irish Water have reviewed the proposed development and have no objections subject to standard conditions relating to connection agreements. This report is noted and should be conditioned in the event of a grant of permission.

Screening for 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 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.

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

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Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022,
- the established character of the area, and
- the scale, design and standard of the proposed development,

it is considered that **Additional Information** is required, to ensure the proposed development would be in compliance with Council policy, 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 **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. While the Planning Authority does not oppose additional signage at this location to advertise the coffee shop, it is considered that the signage at roof level could be better incorporated into the building so as not to be so visually obtrusive. The applicant is requested to submit a revised signage proposal omitting the signage structure at roof level and revising the signage to fully comply with Section 11.2.8 and Schedule 6 Outdoor Advertising Strategy of the South Dublin County Development Plan 2016-2022.
2. The applicant is requested to submit a detailed landscape plan, with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The Landscape Plan shall include hard and soft landscaping including levels, sections and elevations in addition the applicant is requested to submit a fully detailed Planting Plan for boundary planting/hedgerows for the development. Details shall include:
 - i. a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
 - ii. location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - (a) permeable paving
 - (b) tree pit design
 - (c) underground modular systems
 - (d) Sustainable urban drainage integration
 - iii. a schedule detailing sizes and numbers/densities of all proposed trees/plants;
 - iv. specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
 - v. types and dimensions of all boundary treatments.

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3. The applicant is requested to submit the following:
 - (a) A record of consultation with Transport Infrastructure Ireland (TII) for the proposed development.
 - (b) A revised layout showing a provision of bicycle parking spaces consistent with SDCC standards, please refer to “Table 11.22: Minimum Bicycle Parking Rates” of the South Dublin County Development Plan 2016-2022. All external bicycle parking spaces should be covered.
 - (c) A revised layout showing a minimum 2.0m wide footpath to accommodate mobility impaired users at the proposed development. Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.
 - (d) A revised layout showing provision for the charging of electric vehicles.
4. Additional attenuation of 8% and 53% for 1 in 30 and 1 in 100 year respectively is required, however, overall surface water should be firstly managed by means of a Sustainable Urban Drainage System (SuDS). Only as a last resort should an arched type attenuation system be used to attenuate surface water. The applicant is requested to submit a revised report and drawing showing SUDS incorporated into the proposed development and an increased surface water attenuation. Examples of SuDS include:
 - Green roof
 - Detention basins
 - Swales
 - Grass crete, Permeable paving
 - Tree pits
 - Planter boxes
 - Other such SuDS.

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REG. REF. SD21A/0323

LOCATION: Lucan Retail Park, Ballydowd, Lucan, Co. Dublin

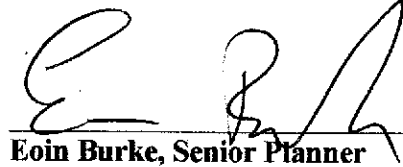


**Sarah Watson,
Executive Planner**

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:

1/2/22


Eoin Burke, Senior Planner