

# Comhairle Chontae Atha Cliath Theas

**PR/0327/22**

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

**Reg. Reference:** SD21A/0161      **Application Date:** 21-Jun-2021  
**Submission Type:** Additional      **Registration Date:** 09-Feb-2022  
Information

**Correspondence Name and Address:** Raymond Tutty, Savills Commercial (Ireland) Ltd.  
33, Molesworth Street, Dublin 2

**Proposed Development:** Two-storey commercial building providing two new units and ancillary accommodation (1,574sq.m gross floor area); Unit 1 will be used as a shop (1,057sq.m), Unit 2 will be used for professional services or health centre or office or gymnasium (517sq.m); the development will also consist of roof plant and PV panels; Lucan advertising signage (50sq.m) and other indicative illuminated signage zones; extended service yard and new access gates; new pedestrian linkage to adjoining Somerton site; reconfigured customer car park and new vehicle charging infrastructure; standalone substation/switch room (30sq.m); hard and soft landscaping, and pedestrian canopy; connection to services; all associated site and development works.

**Location:** Lucan Shopping Centre, Newcastle Road, Co. Dublin

**Applicant Name:** ERF Lucan Investment DAC

**Application Type:** Permission

(EW)

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

Site visit: 24/07/2021

Site Area: 0.33 Hectares.

### **Site Description:**

The application site comprises of the Lucan Shopping Centre that is located off the R120 (Newcastle Road) which connects to the N4 and N7 to the north of the site Lucan Village Centre is located 0.9km to the north of the Lucan District Centre. The residential estate of Westbury is located to the immediate south of the site, separated by an internal access road. Hillcrest Estate is located to the north/west of the site, separated by a slight incline in the topography and a significant hedgerow/line of trees. Esker Drive is located to the east, separated by the R120.

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Permission was granted under SDZ16A/0005 and SDZ18A/0006 for 246 units to the south-east of the subject site, as part of Somerton Phase 1 and Planning Permission was granted on the foot of SDZ19A/0004 for 237 dwellings at Dodsborough & Finnstown, Adamstown located south west of the site. A pedestrian/cyclist connection is required between the subject site and the Somerton lands.

The main access to the shopping centre is through a four-arm roundabout with R120 Newcastle road and Esker Drive, located to the east of the site. The secondary site access for goods and deliveries is through a three-arm priority-controlled junction with R120 Newcastle Road, 160-meters to the south of the main site access.

The shopping centre has 23 units in total and is predominantly commercial/retail including the main anchors Dunnes and Supervalu, food retail, café, restaurant, pharmacy, and off-license. Lucan Public Library and a medical practice are also located within the site. There are approximately 700 surface/underground car parking located to the front of the units east and north-east. The pattern of development in the surrounding vicinity of the site is predominantly residential in character. The site of the proposed development lies in the north-eastern corner of the existing shopping centre site. The proposed development will be constructed above an existing basement car park.

### **Proposal**

The proposed development comprises:

- A two-storey commercial building providing two new units and ancillary accommodation (a total of 1,574sq.m gross floor area);
  - Unit 1 to be used as a shop (1,057sq.m),
  - Unit 2 to be used for professional services or health centre or office or gymnasium (517sq.m);
- Roof plant and PV panels;
- Signage:
  - Lucan advertising signage (50sq.m) and
  - Other indicative illuminated signage zones;
- Extended service yard and new access gates;
- New pedestrian linkage to adjoining Somerton site;
- Reconfigured customer car park and new vehicle charging infrastructure;
- Standalone substation/switch room (30sq.m);
- Hard and soft landscaping, and pedestrian canopy; connection to services; all associated site and development works.

### **Zoning**

The site is subject to land-use zoning objective 'DC' – 'To protect, improve and provide for the future development of District Centres'.

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### Adjacent zoning to the south-west of the subject site:

The subject site is subject to zoning objective 'SDZ' - 'To provide for Strategic Development in accordance with the approved Adamstown Planning Scheme' under the South Dublin County Council Development Plan 2016-2022. The subject site is located within the north eastern section of the Adamstown SDZ Planning Scheme and comprises the eastern and southern section of Development Area No. 2 Somerton. Schedule 2 of the South Dublin County Council Development Plan 2016-2022 details Protected Structure RPS Ref 107 as *Somerton, Finnstown Lucan – Detached Five Bay Single Storey House* which is located west of subject site. The NTA Greater Dublin Cycle Network Plan is indicated on Tandy's Lane.

Zoning to the north west is open space and to the north, east and south the lands abutting the site are zoned for residential uses.

### **Consultations**

*Water Services Section:* - No objections, subject to conditions.

*Irish Water* – Additional Information requested.

*Roads Section* – Additional Information requested.

*Parks and Landscaping Service / Public Realm* – No response received at time of writing.

*Environmental Health Officer* – Additional Information requested.

*Public Lighting* – No response received at time of writing.

*Fire Officer* – No response received at time of writing.

**Monitoring for SEA Sensitivity** - No overlap indicated.

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

A number of submissions have been received. The issues can be summarised as follows:

- Concerns from properties to the west, Hillcrest Grove, regarding the proximity of the proposal and the proposed screening from seasonal trees that will only provide protection 6 months of the year from noise and the visual elements.
- Visual impact of the proposed design is detrimental to the host shopping centre building and does not integrate with the character of the existing area.
- Noise pollution of fans, generators and delivery trucks at various times. Construction noise needs to be restricted.
- Elevational drawings have not been submitted that will show the impact of the development from the west looking east from Hillcrest Grove in seasonal periods. Lack of photomontages / illustrations of the proposed development.
- Restricted opening hours to deliveries and the proposed gym due to the residential nature of the area.

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- Security rails should be applied to all wall boundaries with increased height, concerns of antisocial behaviour, that is in existence already.
- Concerns regarding the scale, size and height of the development and the necessity of the development with other retail vacancies in close proximity.
- Traffic congestion, the submitted traffic study was carried out during lockdown period and does not reflect the true road congestion.
- Impact on local wildlife and existing trees.
- Impact on property prices in Hillcrest Grove, devalue due to the proposal.
- Impact on Hillcrest Grove from light pollution from the services area and signage is not considered appropriate and contrary to CDP .
- Not enough detailed information on the pedestrian linkage to the Somerton development. The proposed uses and impact of Unit 2 is ambiguous with full assessment not feasible when the use could be a health centre, office or a gym.
- Contravenes the zoning 'DC' with over-provision of retail use at this site, should provide for a mix use development and subject to the protection of the amenities of the surrounding catchment. UC4 Objectives 1-4 support a broad range of uses.
- The centre is already adequately served by retail uses with a large Supervalu and Dunnes Stores; Tesco Supermarket is also 1km north of the site. Community / childcare and recreational facilities would be more appropriate long-term with zoning.

The issues raised in the third-party submissions have been considered in assessing this planning application.

### **Planning History**

**S98A/0627 - Planning Granted permission** for modifications to previously approved development plan, Reg. Ref. S97A/0457 comprising of change of use of shop unit, area 195sq.m, from retail use to restaurant use subject to conditions.

**S97A/0457** - Extension to existing retail/shopping facility to provide retail (2494sq.m.), an office extension (1390sq.m.) at first floor and ancillary supermarket facilities at first floor, free standing illuminated signage, ancillary underground car park and access for c. 290 spaces together with modifications and increase of c. 60 spaces to existing surface carpark.

### **In the Lucan Shopping Centre**

**SD15A/0364 - Planning permission granted** for Modifications to Condition 3 of previously approved restaurant use (with ancillary take away), Register Reference SD14A/0255 ( An Bord

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Pleanala No. PL06S.244509) as follows: Change the permitted opening time from 14.00 to 12.00 (i.e. 2 hours earlier).

**SD15A/0244 – Planning permission refused** for the erection of a site signage totem of total surface area of 32.4sq.m. The proposed site signage totem is to be located in proximity to the main vehicular entrance to the centre and will consist of a three-sided (7.2 m high x 1.5 m wide) triangular (on plan) structure.

**SD15A/0115 - Planning permission granted** for the change of use of existing ground floor retail unit (75sq.m) from retail to restaurant for use as Base artisan restaurant and pizza bakery for the sale of hot food for consumption on and off the premises and works to include modifications to internal layout, new signage within existing signage area, and all associated internal, services and development works.

**SD15A/0015 Planning permission granted** for Internal reconfiguration and extension to existing cafe/restaurant to provide for an enlarged cafe/restaurant and associated seating, storage and food preparation areas with a total area of 266sq.m.

**SD14A/0254** Planning permission granted for:

- Demolition of internal walls and removal of raised floor to facilitate the amalgamation of Units 1, 2 and 3 to form 1 unit (220sq.m),
- Change of use of the amalgamated units from retail to café,
- Erect associated signage to front elevation,
- Ancillary site works and site developments.

Application currently under appeal.

**SD14A/0255** Planning permission granted for:

- Change of use of existing ground floor unit, 99.1sq.m in area, from retail use to takeaway use with ancillary seating,
- Provision of an air odour system,
- Erect associated signage to front elevation.

Application currently under appeal.

### **Lands to the south-west of the subject site**

SDZ19A/0004 - **Planning permission granted for** 237 dwellings (up to a maximum of c.24,911sq.m GFA) in a mixture of terraced, semi-detached and detached houses, duplexes and apartments as follows; 119 apartment units shall be accommodated in 4 blocks of 2-5 storeys; Block 01 (4 storey) to consist of 20 one bed apartments and 16 two bed apartments; Block 02 (4-5 storey) to consist of 22 one bed apartments and 41 two bed apartments; Block 04 (3-4 storey) to consist of 9 two bed apartments and 1 the bed apartment located within the 4 storey element of Block 4; Block 05 (2-3 storey) to consist of 1 one bed apartment, 5 two bed apartments and 4 the

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bed apartments, 20 duplexes shall be accommodate in 2 blocks of 3-4 storeys; Block 03 (3 storey) to contain 2 one storey one bed unit, 2 one storey two bed units and 4 three storey three bed units; Block 04 (3-4 storey) to contain 12 three storey three bed units located within the three storey element of Block 4; 98 houses shall consist of 67 two storey, three bedroom houses; 47 with the option of a single storey rear extension at ground floor level (House Types B1.1x and B1.2x); 15 two storey, four bedroom houses; 6 three storey, four bedroom houses and 10 part three storey, part two storey four bedroom houses; provision of 1367sq.m of public open space; provision of c. 318 car parking spaces; re-alignment of the northern section of Tandy's Lane from a point to the north of the entrance to Somerton House to its junction with Adamstown Drive (existing access arrangements will not be affected); all ancillary and associated site development and landscape works; vehicular access to the development is to be provided off Adamstown Drive, The Paddock's Way and the re-aligned Tandy's Lane on lands bounded generally to the northwest by the Hillcrest residential development, to the northeast by Supervalu Lucan, to the east by Westbury Drive, Westbury Avenue, the rear of houses fronting onto Westbury Grove, and Somerton (Phase 1) currently under construction pursuant to SDCC Reg. Ref. SDZ16A/0005, to the south by Somerton House (a Protected Structure), and Tandy's Lane Park Amenity Area (permitted under SDCC Reg. Ref. SDZ18A/0003, and to the west by Adamstown Park and The Paddock's Way with the site located on both sides of Adamstown Drive and also on either side of the northern portion of Tandy's Lane.

### **Relevant Enforcement History**

No relevant Enforcement History – no current open case files.

### **Pre-Planning Consultation**

**PP113/20** - Lucan Shopping Centre, Newcastle Road, Dublin (26.11.2020):

The following was outlined during the meeting:

Two parts to the proposed development:

- o Retail/office/commercial leisure
- o Petrol station

Retail, office and commercial leisure, the following was discussed:

- o Pedestrian link from rear of the site Adamstown / Hillcrest
- o Road connection from Adamstown
- o Capacity in the existing carparking to allow for the increase in floor area
- o Traffic Management Plan – Public transport connection – Mobility Report to include active travel.
- o Provision for pedestrians and cyclists. Covered bicycle parking Petrol / Filling Station

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The following was discussed:

- o Capacity in the existing carparking
- o EV Charging Points / ducting underground
- o Elevation onto R120 / Possible relocation of the Petrol Station to have a stronger link with the District Centre. Two separate developments
- o Auto-track for delivery
- o Noise impact on existing residential areas

In general the following was discussed:

- o Climate Action and mitigation
- o Development proposals will be referred to TII. TII will likely have concerns
- o Drainage to be part of design Identify the location of water and surface water drainage on the site and provide clear distances from this infrastructure
- o SUDS to be incorporated within the development proposals
- o Trees and planting to be included within the development proposals
- o Permeability to be investigated

It was agreed that the proposals would benefit from a second pre-planning meeting after discussions take place with the Roads Department and proposal(s) for permeability to the lands to the north/northwest has been advanced.

PP113/20- Lucan Shopping Centre, Newcastle Road, Dublin (18.12.2020):

### **Relevant Policy in South Dublin County Development Plan 2016 – 2022**

#### **District Centres**

It is the policy of the Council to encourage the provision of an appropriate mix, range and type of uses in District Centres, including retail, community, recreational, medical and childcare uses, at a scale that caters predominantly for a district level catchment, subject to the protection of the residential amenities of the surrounding area.

#### **UC4 Objective 1:**

To support the revitalisation of district centres, including maximising the use of upper floors of existing buildings, with due regard to the quality of urban design, integration, linkage, accessibility and protection of residential amenity.

#### **UC4 Objective 2:**

To support the development of small-scale community facilities within accessible district centres.

#### **UC4 Objective 3:**

To encourage a broad range of facilities and services that are appropriate to serve a district

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catchment and fulfil a district function, as a focus for both community infrastructure and public transport.

### **UC4 Objective 4:**

To improve walking and cycling infrastructure within the local catchment of the County's district centres.

### **5.6.4 District Centres Retail**

#### **R6 Objective 1:**

To promote the development of District Centres as sustainable, multifaceted, retail led mixed use centres.

#### **R6 Objective 2:**

To ensure that the scale and type of retail offer in District Centres is sufficient to serve a district catchment, without adversely impacting on or drawing trade from higher order retail centres.

#### **R6 Objective 3:**

To support and facilitate the development of new District Centres of an appropriate urban scale at Adamstown and Clonburris in accordance with approved Planning Schemes which should provide a sustainable retail mix including department stores and shopping centres that facilitates walking, cycling and use of public transport and reduces car journeys outside the SDZ for many retail needs.

### **5.2.2 Retail Hierarchy**

#### **Lucan Shopping Centre – District Centre – Level 3**

These centres will vary both in the scale of provision and size of catchment depending on proximity to a major town centre but a good range of comparison shopping would be expected (though no large department store), some leisure activities and a range of cafés and restaurants and other mixed uses. They should contain at least one supermarket and ancillary foodstores alongside financial and other retail services. District Centres should generally cater for a population of 10,000-40,000 people.

### **5.3.0 Additional Retail Floorspace**

#### **R1 Objective 4:**

To support the viability and vitality of the existing retail centres in the County, in particular town, village and district centres and to facilitate a competitive and healthy environment for the retail industry, while reinforcing sustainable development.



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### **R1 Objective 5:**

To assess and monitor the vitality and viability of town, major retail, district and village centres.

### **R1 Objective 6:**

To facilitate and provide for, the refurbishment and replacement of obsolete floorspace and promote the use of vacant floorspace.

### **R1 Objective 7:**

To support, subject to identified need, the development of smaller and medium sized supermarkets in preference to superstore and hypermarket outlets, development of which should be generally limited.

## **Chapter 5: Urban Centres and Retailing**

### Section 5.1.0 Urban Centres

#### Policy UC1 Overarching

Policy UC1 Dictates the following hierarchy of urban centres: Tallaght Town Centre, Clondalkin Town Centre, Traditional Village Centres, District Centres, Local Centres, specifically referring to 'a network of Local Centres and local shops to serve a local catchment.'

#### Policy 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.'

#### Policy UC1 Objective 5

'To promote and facilitate environmental and public realm improvements in existing town, village, district and local centres to address environmental quality, urban design, safety, identity and image.'

#### Objective 7

'To improve access to the village, district and local centres of the County with particular emphasis on public transport provision and improvements to walking and cycling infrastructure, including disability proofing.'

#### Actions under Policy UC1

- Support and facilitate the provision of community facilities within centres.
- Encourage small scale employment and training uses in district and local centres including micro-enterprise and start-up units, subject to the protection of residential amenity.

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Policy UC3 Village Centres

Objective 7

'To reinforce village centres as a priority location for new mixed-use development and to promote and support new development that consolidates the existing urban character with quality of design, integration and linkage as important considerations.'

Policy UC5 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 scale that caters predominantly for a local level catchment, subject to the protection of the residential amenities of the surrounding area.'

Objective 3

'To improve walking and cycling infrastructure within the local catchment of centres.'

Policy UC6 Building Heights

Section 5.2.0 Retailing

Section 5.2.1 Strategic Guidance

'The Guidelines identify five key policy objectives to be progressed by planning authorities as follows:

1. Ensuring that retail development is plan led.
2. Promoting city/town centre vitality through a sequential approach to development.
3. Securing competitiveness in the retail sector by actively enabling good quality development proposals to come forward in suitable locations.
4. Facilitating a shift towards increased access to retailing by public transport, cycling and walking.
5. Delivering quality urban design outcomes.'

Policy R1 Overarching

Policy R2 Sequential Approach

Policy R8 Local Centres

'It is the policy of the Council to maintain and enhance the retailing function of Local Centres.'

Policy R10 Fast Food Outlets/Takeaways

Policy R11 Off Licences and Betting Offices

Chapter 6: Transport and Mobility

Policy TM3 Walking and Cycling

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### Objective 2

'To ensure that connectivity for pedestrians and cyclists is maximised in new communities and improved within existing areas in order to maximise access to local shops, schools, public transport services and other amenities, while seeking to minimise opportunities for anti-social behaviour and respecting the wishes of local communities.'

Policy TM7 Car Parking

### Objective 3

'To ensure that car parking does not detract from the comfort and safety of pedestrians and cyclists or the attractiveness of the landscape.'

### To the West: Metropolitan Consolidation Towns – Lucan including Adamstown

#### CS2 Objective 1:

*Strategic growth nodes at Adamstown and Clonburris (SDZs) offer significant potential for housing and commercial activity and are priority development areas. The SDZs are serviced by strategic water, drainage and transport infrastructure. The delivery of sufficient public transport and road capacity shall be actively supported in tandem with future development of the SDZs so as to facilitate sustainable new development in these areas. Internal physical and social infrastructure is required to be delivered in tandem with housing. The future development of these areas is/will be subject to approved Planning Schemes and is dependent on a sustainable delivery model.*

*The Government designated 223.5 hectares of land at Adamstown as a Strategic Development Zone in 2001. The Adamstown SDZ Planning Scheme (amended) 2014 sets out a planning framework to support the delivery of up to 8,908 dwelling units and supporting infrastructure and facilities.*

#### C2 Objective 2:

*The outcome of the policies and objectives outlined in this section, in addition to the requirements of the Adamstown and Clonburris SDZ Planning Schemes will inform the statutory review of the South Dublin County Development Contribution Scheme, under Section 48 of the Planning and Development Act, 2000 (as amended). Items of Community infrastructure to be considered as part of the S48 Development Contribution Scheme review include:*

- **Sports Facilities:** A sports facility, including a swimming pool, in Lucan.
- **Community Floorspace:** Community centres in Adamstown, Lucan and Fortunestown; Improvements to existing facilities in Newcastle and Rathcoole.
- **Open Space & Recreational Facilities:** Enhanced facilities in existing parks, including recreational uses.

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### ***Level 3 Retail Hierarchy; Adamstown SDZ District Centre (planned)***

*These centres will vary both in the scale of provision and size of catchment depending on proximity to a major town centre but a good range of comparison shopping would be expected (though no large department store), some leisure activities and a range of cafés and restaurants and other mixed uses. They should contain at least one supermarket and ancillary foodstores alongside financial and other retail services. District Centres should generally cater for a population of 10,000-40,000 people.*

### ***R6 Objective 3:***

*To support and facilitate the development of new District Centres of an appropriate urban scale at Adamstown and Clonburris in accordance with approved Planning Schemes which should provide a sustainable retail mix including department stores and shopping centres that facilitates walking, cycling and use of public transport and reduces car journeys outside the SDZ for many retail needs.*

**Variation No. 5 – Outdoor Advertising** (South Dublin County Council Development Plan 2016 – 2022)

### ***11.2.8 Signage – Advertising, Corporate and Public Information***

- Signage relates to all signs erected on the exterior of buildings, within windows, as stand-alone structures or attached to public utilities. Signage has the potential to give rise to visual clutter and to alter the character of an area and as such will be carefully assessed.*
- A South Dublin County Council Outdoor Advertising Strategy (2019) has been developed for commercial advertising in the public domain. This strategy forms the basis of a practical policy to be applied to all proposals for outdoor advertising. This strategy is based on an analysis of how sensitive different parts of the county are to advertisement structures and identifies constraints and opportunities for the location of these structures. It also sets out what types of structures are acceptable as outdoor advertising elements.*
- While commercial viability is a consideration, it has been balanced with the need to create a high-quality public domain and to safeguard and enhance sensitive areas and sites. The strategy also aims to rationalise the location and concentration of existing advertising structures.*

Development proposals that include signage and/or advertising structures should take account of the following:

- In general, signs on a building should only advertise goods or services that are associated with the premises and no more than 2 advertising signs should be erected on any elevation. Outdoor*

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advertising structures (on buildings or standalone) will be assessed having regard to the South Dublin County Council Outdoor Advertising Strategy (2019).

- Signs should generally be limited to the ground floor of a building unless located directly over the entrance to a major commercial or retail building.
- Signs should be simple in design and integrate with the architectural language of the building and not obscure any architectural features.
- Signs should be proportionate to the scale of the building to which they are attached and sensitive to the surrounding environment.
- Signs attached to Protected Structures and in Architectural Conservation Areas should be in keeping with the character of the building and adhere to best practice conservation principles (see Section 11.5.3 Architectural Conservation Areas).
- Any sign, advertising structure or associated structure should not create an obstruction to pedestrian or cyclist movement or create a traffic hazard.
- Careful consideration should be given to the materials used in the construction of a sign and the methods used to light it. The illumination of signs and advertising structures should have regard to the SDCC Outdoor Advertising Strategy (2019).
- Applications for advertising structures will be considered having regard to the South Dublin County Council Outdoor Advertising Strategy (2019).
- To consider appropriately designed and located advertising structures primarily with reference to the zoning objectives and permitted advertising uses and with secondary consideration of the SDCC Outdoor Advertising Strategy (2019). In all such cases, the structures must be of high-quality design and materials, and must not obstruct or endanger road users or pedestrians, nor impede free pedestrian movement and accessibility of the footpath or roadway.
- All signage within the traditional historical villages of the County must be respectful and enhance the historical context of the Architectural environment of these villages.

The criteria outlined in the South Dublin County Council Outdoor Advertising Strategy (2019) will also be applied.

### ***ENERGY (E) Policy 7 (Solar)***

*It is the policy of the Council to promote the development of solar energy infrastructure in the County, in particular for on-site energy use, including solar PV, solar thermal and seasonal storage technologies. Such projects will be considered subject to environmental safeguards and the protection of natural or built heritage features, biodiversity and views and prospects.*

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Section 10.2.5 SOLAR ENERGY

Section 11.7.0 ENERGY

11.7.5 SOLAR ENERGY

*Development proposals for solar energy development must:*

- *Prioritise south facing aspects and have an inclination of between approximately 35 and 50 degrees, depending on the use of solar PV or solar thermal technologies,*
- *Be designed to take account of over-shadowing from other solar installations on site and from existing elements of the built environment such as chimneys, parapet, roof plant equipment, taller buildings and structures in the immediate vicinity,*
- *Ensure that the siting and design of proposals have regard to the visual amenities of the surrounding area, and*
- *Consider the provisions of the Water Framework Directive, Habitats Directive and other environmental and built heritage issues.*

### **Relevant Government Policy**

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

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

**Section 5 – Dublin Metropolitan Area Strategic Plan**, in Regional, Spatial and Economic Strategy 2019 – 2031.

**Retail Planning – Guidelines for Planning Authorities**, Department of the Environment, Community and Local Government (2012).

### 5.3 Development Management and Quality Design

It is important that design is a critical issue in the consideration of any planning application for retail development. All designers of retail developments should be encouraged to carry out an appraisal of the distinctive character of the area adjoining the site and to consider how the design and layout of the proposed development responds to, and preferably enriches that character.

**Retail Design Manual**, Department of Arts, Heritage and the Gaeltacht (2012).

**Urban Design Manual**, Department of the Environment, Heritage and Local Government, (2008).

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**Quality Housing for Sustainable Communities-Best Practice Guidelines**, Department of the Environment, Heritage and Local Government (2007).

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

**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).

The **NTA Permeability Best Practice Guide** addresses barriers to filtered permeability and states that this can include

- *Boundary walls around estates and within residential areas that prevent movements along natural desire lines, being usually the shortest and most direct route connecting two points*
- *Poorly designed linkages that are difficult or unattractive to use; and*
- *Connections which require much longer travel distances than direct linkages*

### Assessment

The main issues for assessment are:

- Zoning and Council Policy
- Visual Impact, Design and Layout
- Permeability and Connectivity of Proposal
- Impact on adjacent Residential Amenity
- Land use Zoning and provision of Retail Hierarchy
- Advertisements/Signs
- Energy (Solar PV Panels)
- Public Realm
- Access, Transport and Parking
- Water Services
- Environmental Health
- Screening for Environmental Impact Assessment
- Screening for Appropriate Assessment

### **Zoning and Council Policy**

The site is subject to land-use zoning objective 'DC' – 'To protect, improve and provide for the future development of District Centres'. It is noted that Lucan Shopping Centre is a District Centre – Level 3 and the proposed uses are generally compliant with the zoning. The proposed uses are permitted in principle within this zoning:

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- Health Centre/Primary Health Care Centre
- Offices (<100sq.m >1,000)
- Shop (Local, <100sq.m)
- Shop (Neighbourhood)
- Sports Club

### ***Land use Zoning and provision of Retail Hierarchy***

Under the policies listed above in this report, a district centre should serve a local catchment, and achieve a critical mass of development and a mix of uses appropriate to the local level, the proposed development will contribute to this. The County Development Plan supports the provision of small-scale community services and small-scale employment and training uses within this zoning. Under the UC4 Objectives 1-4 support a broad range of uses. The centre is already adequately served by retail uses with a large Supervalu and Dunnes Stores. The shopping centre has 23 units in total and is predominantly commercial/retail units including the main anchors Dunnes and Supervalu, food retail, café, restaurant, pharmacy and off-license.

### Urban and Retail Hierarchy

The proposed development would substantially increase the commercial floor area of the centre. Under 5.2.2 Retail Hierarchy Lucan Shopping Centre is District Centre – Level 3:

*A good range of comparison shopping would be expected (though no large department store), some leisure activities and a range of cafés and restaurants and other mixed uses. They should contain at least one supermarket and ancillary food stores alongside financial and other retail services. District Centres should generally cater for a population of 10,000-40,000 people.*

In terms of retail hierarchy, it is the policy of the Council to encourage the provision of an appropriate mix, range and type of uses in District Centres, including retail, community, recreational, medical and childcare uses, at a scale that caters predominantly for a district level catchment, subject to the protection of the residential amenities of the surrounding area. Unit 2 will be used for professional services or health centre or office or gymnasium ( 517sq.m); The provision of a medical centre on the site is welcomed.

The submissions and observations lodged on the foot of this application raise concerns that the proposal contravenes the zoning 'DC' with over-provision of retail use at this site, and should provide for a mix use development and subject to the protection of the amenities of the surrounding catchment. The Planning authority has considered the proposed uses and considers that they comply with the policies and objectives of the County Development and will contribute to a mix of uses and is therefore deemed to be acceptable.



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### *Land Use*

The completed proposals would have provide a shop (1,057sq.m) at unit 1 and unit 2 will be used for professional services or health centre or office or gymnasium (517sq.m). This is generally acceptable. Each of the proposed uses will require safe and accessible access from the adjoining housing estates.

### *Visual Impact, Design and Layout*

The proposed structure is two-storey and would extend 55m northerly outwards, and upwards at 8.6m, in a large block format from the existing shopping centre. The structure is set back from the western boundary by a distance of over 21.5 metres. The proposal is built over the surface car parking with the main service yard to the rear. A roofed connection is proposed linking the existing shopping centre with the new structure.

Under the Retail Planning – Guidelines (2012). 5.3 Development Management and Quality Design the following is noted:

*All designers of retail developments should be encouraged to carry out an appraisal of the distinctive character of the area adjoining the site and to consider how the design and layout of the proposed development responds to, and preferably enriches that character.*

The planning authority considers the submitted design statement by the applicant to be significantly lacking in detail. It does not appraise the distinctive character of the area, the strong/weak juxtapositions between existing and proposed. In essence the proposed development is inward looking only and is not designed to respond to existing residential areas to the west; this is clear in the weak pedestrian/cycle connection proposed on the foot of this scheme.

The applicant states that the proposed extension is *'to be true to its time in 2021, and not be pastiche emulation of the existing building'* it also states that *'the proposed extension ought to respect and reference the volume and some of the materials of the existing shopping centre.'* The Planning Authority accepts these statements. However, being *'true to its time'* does not mean that the space created by the structure should not be designed to the highest urban design standards. This is not forthcoming in the proposed design. There are opportunities on this site to provide for a well-designed extension to the District Centre. The proposed development lacks design solutions that would strengthen the connection of the shopping centre with both Hillcrest Estate and the new Somerton development. It is not acceptable to provide a rear façade facing onto the Hillcrest Estate. Existing residential amenity will be affected by the proposed development and therefore a strong western façade should be proposed; it is not acceptable to provide a weak/rear façade at this location. Notwithstanding the row of trees/hedgerows, the western façade should be designed as a *'front'* façade – this will also help strengthen the pedestrian/cyclist connection.

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The applicant should submit revised design proposals, which should have regard to Section 5.1.0 Urban Centres (CDP):

### Policy 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.'

### Policy UC1 Objective 5

'To promote and facilitate environmental and public realm improvements in existing town, village, district and local centres to address environmental quality, urban design, safety, identity and image.'

The Planning Authority considers that the proposed linked glass canopy does not provide adequate integration, cohesion or fluidity with the existing shopping centre building, and the overall design of the development does not respond to or enrich the existing character of the shopping centre with regards to the scale, size and bulk as proposed. The proposed aesthetic to the façade is considered uninspiring and the materials selected of glass and roof tiles for the first floor of the proposed extension would not provide a visually interesting contrast to the ground floor brick or the adjacent shopping centre.

The planning authority requests that a justification and a rationale for the size, bulk and scale of the proposed building on site be submitted. Notwithstanding this, revised proposals for a scaled down structure on the site should be submitted. A revised Design Statement is required (in accordance with Section 11.21 of the County Development Plan. The applicant is required to submit a revised design by way of **additional information**.

Having regard to the Plaza and the hard and soft landscaping proposed; Under policy U1, objectives 4, 5 and 7, the County Development Plan seeks improvements to the public realm and requires high quality urban design in urban centres. This should be demonstrated through further modifications to the proposal.

In addition, the applicant should be requested to provide photomontages of the proposed development (as amended) by **additional information**.

### Permeability and Connectivity under SDZ Planning Scheme

Lands located to the south-west of the subject site are zoned 'SDZ' 'To provide for Strategic Development in accordance with the approved Adamstown Planning Scheme' under the South Dublin County Council Development Plan 2016-2022. Connection between the Adamstown Planning Scheme lands at Somerton and the Lucan Shopping Centre forms part of this Scheme (Section 2.3.5 and 2.3.15).

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Section 2.3.5 of the Planning Scheme states:

*'major barriers to pedestrian/cyclist movement such as gated or fenced off compounds around individual developments will generally not be permitted'. Section 2.4.17 states future development proposals are required to maximise pedestrian and cyclist access to services and facilities, in particular the local strategic public transport network. This is to be achieved through the provision of a network of direct, safe, secure and pleasant pedestrian and cycle routes in the form of a permeable grid at regular intervals.'*

Section 2.3.15 of the Planning Scheme states:

*'an extension to the existing Lucan District Centre is permissible in order to facilitate direct vehicular and pedestrian access from within Adamstown.'*

The applicant of the development at Somerton, located to the south west of the subject site, on the foot of Reg. Ref. SDZ19A/0004 submitted a letter from the owners of Lucan Shopping Centre (Letter from *Raymond Toffy of Savills*) giving consent of the owners of Lucan Shopping Centre for the Pedestrian Link to Somerton development. The Planning Authority welcomed this connection. The SDZ19A/0004 planning report stated:

*'The potential future connections are being accommodated by providing paths from within the application site to the site boundary. The forming of these connections in time would be a matter for future planning process and the consent of the respective landowners, as applicable.'*

The Planning Authority generally welcomes the provision of a pedestrian/cyclist connection between the Somerton area and the Lucan Shopping Centre. However, the proposed execution of which is not considered to be of an acceptable high standard. The Planning Authority notes the requirements of the Adamstown Planning Scheme and the need to create a high-quality connection between the Lucan Shopping Centre and the residential lands to the west. The Planning Authority considers the proposed connection to be substandard for the following reasons:

1. The pedestrian/cycle access should be uninterrupted and there should be a clear free and easy movement for 24 hours a day, 7 days a week. This has not been demonstrated through design.
2. The pedestrian/cycle connection is not significantly overlooked or provided with perceived passive surveillance.
3. The safety and comfort of users is not apparent in the proposed design and layout. It is proposed to intersect the pedestrian access with a service road to the west of the site and by a system of access-control by using manual swing gates. The gates by default will be temporarily closed when any delivery vehicles have to pass and then reopen. The movement of vehicles along the western boundary will thereby hinder the free movement of pedestrians and cyclists. This is not acceptable to the Planning Authority.

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4. It has not been demonstrated that the proposed route/connection would not give rise to anti-social behaviour.

The applicant should be requested to provide, as **additional information**, an alternative layout and design proposal, showing how pedestrians will be facilitated in accessing the site safely through a modified and widened pedestrian link, which provides perceived passive surveillance/overlooking of the access. It should be clearly demonstrated that the pedestrian and cyclist takes priority. In particular, the applicant should demonstrate that the proposed development would not limit the access of the public at any time of the day or night, the planning authority would suggest a complete separate service route from the pedestrian route, the planning authority also request fully detailed drawings clearly demonstrating safe and high quality linkages to the adjacent housing estates Hillcrest and the Somerton development and how the proposal will respond to these residential estates.

Compliance with Policy TM3, objective 2 of the County Development Plan, '*pedestrian connectivity in existing communities should be improved in order to maximise access to local shops, schools, public transport services and other amenities, while seeking to minimise opportunities for anti-social behaviour and respecting the wishes of local communities. Any new development should (1) serve this desire line, and (2) provide for the safety and comfort of pedestrians in the design/layout of connectivity to and from the proposed development*' should be demonstrated. **Additional Information.**

### *ESB Substation*

The standalone substation/switch room (30sq.m) is considered acceptable to the rear west of the site and shall be dealt with under noise pollution and further detail by the EHO report below.

### **Impact on adjacent Residential Amenity**

With regards to the assessment of visual impact, it is considered that the submitted drawings via elevations/sections do not illustrate the relationship between the proposed development and the north/west in the adjoining Hillcrest estates. The Planning Authority require elevational/section drawings that will show the impact of the development from the west looking east from Hillcrest Grove. It is noted that the proposed 8.6m high 55m long rear elevation will be highly visual facing the adjoining estate. The Planning Authority would require a high standard of design to the rear elevation (i.e. a second full front façade) and to the same standard as the front elevation. The applicant has not submitted photomontages / illustrations of the impact of the proposed development.

Under Policy U5 of the County Development Plan, development of local centres is 'subject to the protection of the residential amenities of the surrounding area'.

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The objections lodged on the application have concerns from properties to the west Hillcrest Grove, regarding the height and proximity of the proposal and the proposed screening from seasonal trees that will only provide protection six months of the year from the visual elements. Also noted was the noise pollution of fans, generators, and delivery trucks at various times.

The screening of trees and noise pollution shall be dealt with in further detail by Public Realm and EHO.

Having regard to concerns regarding the scale, size and height, it is noted that under current County Development Plan policy, local centre development is subject to protection of residential amenity (Policy U5). Given the formulation of this policy as such, the development should be assessed by residential standards.

Having regard to the location to the north/west of the adjoining residential development on Hillcrest overshadowing is not an issue. The separation distance to residential development to the west is not clear from the submitted plans, but it is at least 21 metres to the boundary wall and given the proposed development height of 8.6m metres at this location, overshadowing is not considered to be an issue here either.

However in terms of visual impact, the applicant should be requested to provide, as **additional information**, cross sections or contiguous elevations showing the relationship between the proposed development and adjoining houses to the west and north, on Hillcrest Grove and Hillcrest Court.

### *Advertisements/Signs*

Policy with regard to retail design, urban design (and in particular design for streetscapes) has evolved significantly at national level and through local policy, it is not clear if alternative approaches to the enhancement/redevelopment of the centre have been considered. The applicant should be requested to demonstrate that the proposed signage is compliant with County Development Plan policy Variation No. 5 – Outdoor Advertising (South Dublin County Council Development Plan 2016 – 2022). The applicant proposes to have 4 signs on the eastern facing elevation, one external and three internally via the glass windows. The applicant shall be requested to provide a revised design layout of the proposed signage to be consistent with variation No. 5 of CDP as **Additional Information**.

### **Energy (Solar PV Panels)**

In terms of policy, there is significant policy support within the current Development Plan to support and encourage the provision of climate adaptation measures inclusive of the provision of solar panels, such as that of the proposed development. The principle to install solar pv panels on the rooftop is welcomed.

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The panels would be installed to cover a portion of the southern side of this screened pitched roof. The panels would not be overly visible as they are screened from the front/ side and rear elevations by a continuous façade parapet wall and mounted at angels on the roof that would be screened from view with the surrounding shopping centre below.

ENERGY (E) Policy 7 (Solar) states the following:

*It is the policy of the Council to promote the development of solar energy infrastructure in the County, in particular for on-site energy use, including solar PV, solar thermal and seasonal storage technologies. Such projects will be considered subject to environmental safeguards and the protection of natural or built heritage features, biodiversity and views and prospects.*

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 permitted structure. The development comprising **60 Panels** x 375v = **22.5 KW**, is considerably below the 300 megawatts. An EIA is therefore not required, and the proposal is acceptable.

### **Public Realm**

Green Infrastructure is considered an integral part of a new development scheme, under **8.1.0 Green Infrastructure Network G2 Objective 11:**

*To incorporate appropriate elements of Green Infrastructure e.g. new tree planting, grass verges, planters etc. into existing areas of hard infrastructure wherever possible, thereby integrating these areas of existing urban environment into the overall Green Infrastructure network.*

It is noted that the applicant has not submitted a landscape plan or given any detailed proposal for the *Green Infrastructure* element of the design. The Parks and Public Realm Department require revised proposals to:

- (1) Reduce the visual impact of development – The landscape scheme should help to integrate the development into the local landscape, and can provide visual screening, softening and mitigation of negative visual effects.
- (2) Enhance local biodiversity – Hard, and more often soft, landscaping can provide a wide range of habitats for plants and animals, and greatly enhance the biodiversity of a development.

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The Public Realm Department recommends **Additional Information** as follows.

### Landscape Plan

The applicant shall submit a landscape design rationale and comprehensive and detailed proposals, prepared by a qualified Landscape Architect, for the written agreement of the Public Realm Section. Such proposals shall include a scaled landscape plan(s) with cross-sections, showing the layout and hard and soft treatment of all boundaries, features, external areas and green spaces. The proposals shall be accompanied by specifications for materials, workmanship and maintenance, together with proposed design details. Hard landscape details are to include, where applicable, those for any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features. Soft landscape details are to include detailed planting plans and planting schedules, stating species/varieties, quantities, sizes, rootball presentation and spacings. The landscape plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and defects liability clause.

### Green Infrastructure

Pursuant to Green Infrastructure Policy G5 -Sustainable Urban Drainage Systems and Objective G5 1 and G5 2 in the Couth Dublin County Council Development Plan and Chapter 7 – Infrastructure and Environmental Planning, the applicant is requested to revisit the design and layout of the proposed development and to submit revised plans and particulars to include the following:

- (a) Demonstrate how natural SUDS features such as filter drains, swales, SuDS tree pits, permeable paving, channel rills, bio-retention, rain gardens can be incorporated into the design of the proposed development.
- (b) Provide details of the proposed green roof.
- (c) The existing trees located along the western boundary shall be protected.

### Tree Survey

The applicant shall submit and agree a comprehensive Tree Report with SDCC Public Realm Section. This shall comprise of a detailed Tree Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, all in accordance with, BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations.

Summary Table: Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages.

Pre-Development Photo's: The applicant shall submit pictures of the existing trees/hedgerows before works commence with the tree protective fencing. This shall include a location map of where each picture was taken from. Arborist's name,

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arboricultural qualifications and contact details. Date that the survey was carried out (surveys > 12 months are unacceptable).

In general, no landscape plan and associated detailed plans and specifications were submitted and this is not acceptable to the Planning Authority.

The applicant should therefore be requested to submit a landscape plan and a SUDS scheme.  
**Additional Information.**

### ***Access, Transport and Parking***

It is noted that the South Dublin County Development Plan 2016 - 2022 contains a focus on integration with public transport for higher order urban centres such as district centres under Section 5.1.3 of the County Development Plan.

The Roads Department has recommended a request for additional information. Their report contains the following comments:

The applicant shall submit a revised layout showing the service road to the rear of the proposed site road construction details are in accordance with *Appendix 6 of the SDCC Taking in Charge* standard as Recommended for road construction. The Planning Authority notes the Roads Department Report and any redesign should be subject to successfully providing for a high quality public realm providing safe space for pedestrians and cyclists.

### **Traffic and Transport:**

The planning application should be forwarded to the TII for comment due its proximity with N4.

The applicant has submitted Traffic Transport Assessment (TTA) for the proposed development. In order to determine baseline traffic conditions Junction Turning Count (JTC) surveys were undertaken at four key junctions in the vicinity of the proposed development site. The surveys were undertaken on Friday and Saturday at the junctions shown in the map below.

Due to Covid-19 pandemic an adjustment factor was achieved by compression of pre and post covid-19 traffic data acquired by closest TII traffic monitoring unit (TMU) on N4. Factor (1.28) was achieved and multiply for Friday background traffic and factor (1.65) was achieved and multiply with Saturday background traffic, as shown in the table below.

Junction D factored background traffic for Saturday are wrong as the applicant has used factor (1.28) which is a Friday traffic factor applicant should have use Saturday factor which is (1.65).



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### Car Parking:

As the proposed development is located within the Lucan Shopping Centre which is deemed to fall under zone-2 parking standards of the current SDCC CDP due to the site's close proximity to high-quality spine bus routes of C1 and C2 emerging from the new Dublin area bus network project. Currently there is 702no. car parking bays available at surface and basement levels and applicant expect proposed new extension will result in loss of 87 car parking bays at surface level, resulting in a total of 615 bays available.

Proposed extension will require 43 parking bays for zone 2 development and as the existing car parking bays available are adequate to accommodate the proposed development requirements for car parking spaces SDCC roads department is satisfy with the proposal.

Electric Vehicle Parking: Applicant has proposed 4 EV charging parking spaces this number of parking bays are in line with SDCC CDP.

Disabled Parking: Applicant has proposed 4 designated disabled parking spaces, required disabled parking spaces by SDCC CDP is 2 designated disabled spaces. Proposed no. disabled parking spaces is more than SDCC CDP standards. SDCC Roads Department is satisfied with proposed disabled parking as it will benefit existing and proposed shopping centre due to the disabled parking closed proximity to the existing and proposed shopping centre.

Bicycle Parking: The provision for bicycle parking is 6 long-stay spaces at surface level and 32 short-stay bicycle parking spaces at surface level 38 cycle parking spaces in total. The bicycle spaces at surface level must be covered. The applicant has not shown the location of short-term bicycle parking in the submitted drawings.

Bin storage & Collection: The applicant shall submit information with regards to their proposed bin/waste collection arrangement and bin storage and collection locations.

Public Lighting: The applicant will be required prior to commencement; to submit and agree a public lighting design with SDCC's public lighting section.

A Construction and Demolition Waste Management Plan: A Preliminary Construction Traffic Management Plan has been submitted with this application. Prior to commencement of development a fully 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.

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The Roads Department requests the following additional information from the applicant:

1. The applicant shall submit a revised layout showing a redesign for pedestrian and cyclist entry point from Somerton development to the proposed development facilitating direct and unrestricted pedestrian and cyclist access with a 2.5m width of pedestrian and cycle lane connecting with the Somerton development.
2. The applicant shall submit a revised TTA with correct factors applied to background traffic flows. Applicant shall also implement some mitigation measures in the revised TTA showing measures taken to reduce existing and future traffic congestion at four-arm Newcastle Road/Shopping centre access/Esker Drive roundabout, as SDCC roads section have concerns with the existing traffic congestion issues at four-arm Newcastle Road/Shopping centre access/Esker Drive roundabout and to its close proximity to N4.
3. The applicant shall submit information with regards to their proposed bin/waste collection arrangement and bin storage and collection locations, including auto track analysis showing how bin truck can access and egress the site safely.
4. The applicant shall submit a revised layout showing, bicycle parking spaces for long term and short term in accordance with SDCC CDP 2016-2022 bicycle parking spaces standards.
5. The applicant shall submit a revised layout showing the service road to the rear of the proposed site road construction details are in accordance with Appendix 6 of the SDCC Taking in Charge standard as Recommended for road construction.

Having regard to the report by the Roads Department it is deemed that the above shall be obtained by **Additional Information**.

### **Surface Water**

It is noted that a green roof system has been proposed and this is to be welcomed. The Water Services department states no objection to the proposed development and has provided conditions to be attached. These are noted.

### **Irish Water**

Irish Water recommends additional information and has provided the following comments.

*In order to assess the feasibility of a connection to public water infrastructure further information is requested as follows for Water and Foul;*

*The applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure. The Confirmation of Feasibility (COF) must be submitted to*

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*the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.*

Having regard to the report by water services it is deemed that the above shall be obtained by **Additional Information**.

### ***Public Lighting:***

It is noted that no Public and Site Lighting design or layout has been submitted.

The Public and Site Lighting design and layout needs to be agreed with the lighting department of SDCC and shall be obtained by **Additional Information**.

### ***Environmental Health***

A number of third parties have raised potential issues with noise arising from the development.

The main concerns from Environmental Health relate to potential noise disturbance. It is noted that the site is surrounded by residential properties and therefore there is potential for noise disturbance to the residents.

The site layout plans indicate a loading area proposed within close proximity to the adjoining residential houses along Hillcrest Grove. In addition, Environmental Health note there is a proposal in for the construction of a 4-storey apartment block consisting of 36 apartments. This block is to be constructed within meters of the proposed loading area of this development.

On view of the overall site there are genuine concerns regarding the potential impact of noise on the surrounding residents given the distance between the loading area and residents. The Environmental Health Department have had issues in the past with commercial operations of similar type and specifically vehicle noise during the early morning/late evening.

The plans allow provision for the turning of large articulated trucks. This activity will invariably have an impact on the existing residents at Hillcrest Grove and Hillcrest Court to the north of the site. The Environmental Health Department has requested an acoustic report to assess the potential noise impact in more detail.

The proposal is not acceptable to the Environmental Health Department until the following information is submitted and assessed.

An acoustic assessment must be undertaken by a suitably qualified acoustic consultant describing and assessing the impact of noise emissions from the proposed alterations to include the accumulative noise impact from existing on-site activities. The investigation must include, but not be necessarily limited to, the following:

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- (a) The identification of any neighbouring noise sensitive receivers who may be potentially impacted by the proposal
- (b) The identification of all operations conducted onsite as part of the development proposal that are likely to give rise to a public nuisance for the neighbouring noise sensitive receivers.
- (c) Distances between the development and the nearest noise sensitive receiver and the predicted level of noise (LAeq, 15min) from any development activities when assessed at the boundary of that receiver.  
(LAeq, 15min) from any development activities when assessed at the boundary of that receiver.
- (d) An assessment of the existing background (LA90,15 min) and ambient (LAeq,15 Min) acoustic environment at the receiver locations representative of the time periods that any noise impacts may occur. NOTE: For the purposes of the assessment background noise includes noise of the surrounding environment excluding all noise sources currently located on-site.
- (e) A statement outlining any recommended acoustic control measures that should be incorporated into the development to ensure the use will not create adverse noise impacts on the occupiers of any neighbouring noise sensitive properties

The Environmental Health Department raises concern with regard to the floodlights. There is potential for the lighting to impact negatively on the surrounding residents by causing disturbance. The applicant is required provide further detail with regard to lighting and how any glare will be controlled to prevent spillage onto the nearby properties.

### **Screening for Appropriate Assessment**

The applicant has provided an Appropriate Assessment Screening Report.

The report concluded that the proposed development, individually or in-combination with other plans or projects, would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said sites' conservation objectives.

This conclusion has been reached having regard to the:

- The nature and scale of the proposed development on fully serviced lands.
- The intervening land uses and distance from European sites.
- The lack of direct connections with regard to the Source-Pathway-Receptor model.

An appropriate assessment is not, therefore, required.

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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.

Notwithstanding the above the applicant should be requested to submit measures to mitigate the impact of the development on the surrounding area, residential amenity and existing ecology.

### **Additional Information.**

#### **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.

#### **Development Contributions Assessment Overall Quantum**

- Unit 1 will be used as a shop (1,057sq.m),
  - Unit 2 will be used for professional services or health centre or office or gymnasium ( 517sq.m);
  - standalone substation/switch room (30sq.m);
- Assessable Area: 1,604sq.m

#### **SEA Monitoring Information**

Building Use Type Proposed:

Floor Area: 1,604sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.33 Hectares.

#### **Conclusion**

Having regard to the:

- 'DC' zoning objective of the subject site,
- The policies and objectives of the South Dublin County Development Plan, the Applicant is required to submit the followings:
- Having regard to residential character of the area, with the size, bulk and scale of the proposed building with the proposed link to the existing shopping centre on site. The applicant is requested to submit an overall re-design of the development that responds to the adjacent residential developments and also enriches the character of the existing shopping centre, with the materials used and provides a visually interesting contract.

The Planning Authority would require a greater visually impact and design on this established site in accordance with requirements set out in the Retail Planning – Guidelines for Planning Authorities (2012) 5.3 Development Management and Quality

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Design, and 5.1.0 Urban Centres (CDP): Policy UC1 Objective 4, Policy UC1 Objective 5, The applicant is required to submit revised drawings by additional information and a revised Design Statement is required (in accordance with Section 11.21 of the County Development Plan.

- The applicant shall be requested to provide a rationale and/or alternative layout proposal, showing how pedestrians will be facilitated in accessing the site safely through the pedestrian link to the adjacent housing estate Hillcrest grove and the Somerton development to the west. In particular, the applicant should demonstrate that the proposed development would not limit the access of the public at any time of the day or night, the planning authority would suggest a complete separate service route from the pedestrian route.

The applicant shall be requested to submit fully detailed drawings (views from west to east and vice versa) and included detailed photomontages with the linkages to the adjacent housing estates of Hillcrest grove and the Somerton development and how the proposal will respond to these residential estates. The applicant should show as part of that the development complies with policies TM3 (objective 2 in particular) of the County Development Plan.

- The applicant proposes to have 4 signs on the eastern facing elevation, one external and three internally via the glass windows. The applicant shall be requested to provide a revised design layout of the proposed signage to be consistent with variation No. 5 of the South Dublin County Council Development Plan.
- Having regard to the minimal 'greening' of a site, the applicant shall be requested to submit a landscape plan and SUDs scheme. It is having regard to the above concerns by the Parks Department.
- Having regard to the concerns of the Roads Department, due to the location of the proposed development in an established district centre.
- The applicant shall be requested to submit additional information to the requirements of the EHO.
- Having regard to a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure with Irish Water.

It is considered that the additional information should be sought in order for the proposed development to be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

Request Further Information.

### **Further Information**

Further Information was requested on 16/08/21

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Further Information was received on 09/02/2022

### **Consultations**

Surface Water Drainage	No objection subject to conditions.
Irish Water:	No objection subject to conditions.
Roads:	No objection subject to conditions.
Public Realm and Parks	No report received.
Public Lighting:	No report received.
EHO:	Report received with strong concerns.

### **Submissions/Observations**

No further submissions/observations received.

### **Item 1**

The planning authority considers the submitted design statement by the applicant to be significantly lacking in detail. It does not appraise the distinctive character of the area, the strong/weak juxtapositions between existing and proposed. In essence, the proposed development is inward looking only and is not designed to respond to existing residential areas to the west and to the south-west; this is clear in the weak pedestrian/cycle connection proposed on the foot of this scheme.

(a) The applicant states that the proposed extension is 'to be true to its time in 2021, and not be pastiche emulation of the existing building' it also states that 'the proposed extension ought to respect and reference the volume and some of the materials of the existing shopping centre.' The Planning Authority accepts these statements. However, being 'true to its time' does not mean that the space created by the structure should not be designed to the highest urban design standards. This is not forthcoming in the proposed design. There are opportunities on this site to provide for a well-designed extension to the District Centre. The proposed development lacks design solutions that would strengthen the connection of the shopping centre with both the Hillcrest Estate and the new Somerton development. It is not acceptable to provide a rear façade facing onto the Hillcrest Estate. Existing residential amenity will be affected by the proposed development and therefore a strong western façade should be proposed; it is not acceptable to provide a weak/rear façade at this location. Notwithstanding the row of trees/hedgerows, the western façade should be designed as a 'front' façade – this will also help strengthen the pedestrian/cyclist connection.

The applicant is requested to address the above concerns and submit revised design proposals

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addressing the above and having regard to Section 5.1.0 Urban Centres (CDP).

### **Assessment**

The applicant has submitted a cover letter with AI Response report titled '*Response to further information request (Ref:SD21A/0161) – Lucan Shopping Centre, Newcastle Road, Co Dublin, ERF Lucan Investment DAC*' dated 09<sup>th</sup> February 2022.

The planning authority has assessed the drawings and documentation submitted in response to the AI Request and have noted the following changes, all of which are considered minor in nature and that have not addressed the significant concerns raised by the planning authority in the AI Request.

- (a) The applicant states that '*Connection of the shopping centre with new Somerton development has been strengthened by splaying and widening the entrance / exist point*'
- The safety and comfort of users is not apparent in the proposed design and layout. It is proposed to intersect the pedestrian access with a service road to the west of the site and by a system of access-control by using manual swing gates. The gates by default will be temporarily closed when any delivery vehicles have to pass and then reopen. The movement of vehicles along the western boundary will thereby hinder the free movement of pedestrians and cyclists. This is not an acceptable design response. It is recommended that a condition be imposed requiring that the access gates to the service are open inwards only and do not obstruct the pedestrian link. Furthermore, it is recommended that the applicant submit detail of the safe management of pedestrians during all vehicle crossing.
- The applicant has proposed widening of the entrance / exit point through the shopping centre, into the adjacent Somerton development to the rear (west) of the site. This is welcomed by the Planning Authority.
- '*The rear western façade has been redesigned and is now greatly improved*'  
This element of the proposed development is considered to be acceptable.

*The southern façade has been redesigned and now includes the addition of 2 storey floor to ceiling windows*'.

The applicant has proposed the provision of an three 7.2m elongated floor to ceiling window, on the south facing façade, 2 on the northern facing facade and 2 to the southwestern facade, all of which are considered minor in nature but are welcomed. Concerns are still maintained in relation to the proposed level of activation and it is



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recommended that a condition be imposed to increase the quantum of glazing on the front elevation at ground floor level.

- *Additional Planting has been added to the western boundary and proposed plant equipment'*

Additional Planting has been added as requested and this is welcomed.

- (b) The Planning Authority considers that the proposed linked glass canopy does not provide adequate integration, cohesion or fluidity with the existing shopping centre building, and the overall design of the development does not respond to or enrich the existing character of the shopping centre, pedestrian movement and clear linkages with the surrounding areas. The applicant is requested to submit revised design solutions to address the above.

### **Assessment**

The Planning Authority note that the glass canopy has now been extended c 24m along the eastern elevation at the same pitch and height as the existing canopy. However due to the 55m length and 8.6m height of the proposal submitted, the design proposal in bulk, scale and mass remain unchanged, from the previous design. It is considered however that the revisions to the ground floor layout, through the increase the quantum of glazing on the front (southeastern) elevation at ground floor level, would significantly improve the overall design quality. As set out above, this can be secured by condition.

- (c) Having regard to the Plaza and the hard and soft landscaping proposed; Under policy U1, objectives 4, 5 and 7, the County Development Plan seeks improvements to the public realm and requires high-quality urban design in urban centres. The applicant is requested to demonstrate through further modifications to the proposal that the above can be achieved.

### **Assessment**

The applicant has provided improvements to the public realm, which include additional planters, public seating and lighting, which are all considered acceptable.

### **Item 2**

The Planning Authority generally welcomes the provision of a pedestrian/cyclist connection between the Somerton area and the Lucan Shopping Centre. However, the proposed execution of which is not considered to be of an acceptable high standard. The Planning Authority notes the requirements of the Adamstown Planning Scheme and the need to create a high-quality connection between the Lucan Shopping Centre and the residential lands to the west. The Planning Authority considers the proposed connection to be substandard for the following reasons:

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1. The pedestrian/cycle access should be uninterrupted and there should be a clear free and easy movement for 24 hours a day, 7 days a week. This has not been demonstrated through design.
2. The pedestrian/cycle connection is not significantly overlooked or provided with perceived passive surveillance.
3. The safety and comfort of users is not apparent in the proposed design and layout. It is proposed to intersect the pedestrian access with a service road to the west of the site and by a system of access-control by using manual swing gates. The gates by default will be temporarily closed when any delivery vehicles have to pass and then reopen. The movement of vehicles along the western boundary will thereby hinder the free movement of pedestrians and cyclists. This is not acceptable to the Planning Authority.
4. It has not been demonstrated that the proposed route/connection would not give rise to anti-social behaviour.

The applicant is therefore requested to provide, as additional information, an alternative layout and design proposal, showing how pedestrians will be facilitated in accessing the site safely through a modified and widened pedestrian link, which provides perceived passive surveillance/overlooking of the access. It should be clearly demonstrated that the pedestrian and cyclist takes priority at this location on the site. In particular, the applicant should demonstrate that the proposed development would not limit the access of the public at any time of the day or night, the planning authority would suggest a complete separate service route from the pedestrian route, the planning authority also request fully detailed drawings clearly demonstrating safe and high quality linkages to the adjacent housing estates Hillcrest and the Somerton development and how the proposal will respond to these residential estates. A significant redesign should be submitted.

### **Assessment**

The Planning Authority consider that the design of the proposed pedestrian/cycle link into the Adamstown SDZ lands remains an issue of concern. The proposed route would be closed to all pedestrians to allow delivery vehicles to access or egress between the existing service yard and the new service yard of the proposed development. Furthermore, the Planning Authority would maintain serious concerns in relation to the proposed closing of the proposed pedestrian route outside of the opening hours of the shopping centre. While the submission of the applicant in this regard is noted, it is considered that the design in its current format would create a convoluted and uncertain route, which would be of substandard quality. In particular, the proposal in its current format would fail to comply with the South Dublin County Council Development Plan 2016-2022, particularly UC1 Objective 4, 5 and 7, all of which support the provision of high quality, usable and safe public realm and pedestrian routes and is therefore not considered to be acceptable.

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It is considered however that the primary concerns of the Planning Authority can be overcome, by way of Planning Condition. In this regard, it is recommended that revised designs and documentation to secure the following, be submitted to and agreed with the Planning Authority;

- A. Revised designs which indicate that proposed gates to the service yards open inwards, and not across the proposed pedestrian route;
- B. Details of the safe management of pedestrians to ensure there is no conflict between service vehicles and pedestrians.

Furthermore, it is recommended that conditions are imposed requiring the pedestrian route is permanently accessible and that service vehicles cross the pedestrian link a maximum of twice per day. Subject to the imposing of these conditions, it is considered the development would be on balance, acceptable

### **Item 3**

With regards to the assessment of visual impact, it is considered that the submitted drawings via elevations/sections do not illustrate the relationship between the proposed development and the north/west in the adjoining Hillcrest estates. The Planning Authority require elevational/section drawings that will show the impact of the development from the west looking east from Hillcrest Grove. It is noted that the proposed 8.6m high 55m long rear elevation will be highly visual facing the adjoining estate. The Planning Authority requires a high standard of design to the rear elevation (i.e. a second full front façade) and to the same standard as the front elevation. Having regard to the above the applicant is requested to submit:

- (a) A full redesign of the structure that provides for stronger western and southern elevations and an increased quality public realm at these locations.
- (b) Cross sections and contiguous elevations showing the relationship between the proposed development and adjoining houses to the west and north, on Hillcrest Grove and Hillcrest Court.
- (c) Photomontages/illustrations of the impact of the proposed development should be submitted.

### **Assessment**

A redesign of the structure on the western and southern elevations façade has been submitted with ground floor fenestration, entrance, signage and 2 storey floor to ceiling windows and an increased area of open space have been provided, which includes outdoor staff seating and amenity area. Overall the proposed amendments are welcomed by the Planning Authority, however, concerns are still maintained that the proposed development would result in the creation of a blank facade, particularly at the ground floor level of the front south-eastern elevation.

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It is therefore recommended that a condition be imposed requiring the revised design, which provides a revised ground floor treatment that includes a significant increase in the quantum of the glazing at the ground floor level.

### **Item 4**

The applicant is requested to demonstrate that the proposed signage is compliant with County Development Plan policy Variation No. 5 – Outdoor Advertising (South Dublin County Council Development Plan 2016 – 2022). The applicant proposes to have 4 signs on the eastern facing elevation, one external and three internally via the glass windows. The applicant is requested to provide a revised design layout of the proposed signage to be consistent with variation No. 5 of CDP.

### **Assessment**

As the stated in the applicants report '*Response to further information request (Ref:SD21A/0161) – Lucan Shopping Centre, Newcastle Road, Co Dublin, ERF Lucan Investment DAC*', the applicant has amended the proposed front elevation to remove the large 'Lucan' signage. The signage has been replaced by three double-height windows. The applicant also notes that the future occupiers of the units would be required to seek permission for the display of advertisements. This is considered acceptable.

### **Item 5**

#### **1. Landscape Plan**

The applicant shall submit a landscape design rationale and comprehensive and detailed proposals, prepared by a qualified Landscape Architect, for the written agreement of the Public Realm Section. Such proposals shall include a scaled landscape plan(s) with cross-sections, showing the layout and hard and soft treatment of all boundaries, features, external areas and green spaces. The proposals shall be accompanied by specifications for materials, workmanship and maintenance, together with proposed design details. Hard landscape details are to include, where applicable, those for any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features. Soft landscape details are to include detailed planting plans and planting schedules, stating species/varieties, quantities, sizes, rootball presentation and spacings. The landscape plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and defects liability clause.

#### **2. Green Infrastructure**

Pursuant to Green Infrastructure Policy G5 -Sustainable Urban Drainage Systems and Objective G5 1 and G5 2 in the Couth Dublin County Council Development Plan and Chapter 7 – Infrastructure and Environmental Planning, the applicant is requested to revisit the design and layout of the proposed development and to submit revised plans and particulars to include the following:

- (a) Demonstrate how natural SUDS features such as filter drains, swales, SuDS tree pits, permeable paving, channel rills, bio retention, rain gardens can be incorporated into the design

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of the proposed development.

- (b) Provide details of the proposed green roof.
- (c) The existing trees located along the western boundary shall be protected.

### 3. Tree Survey

The applicant shall submit and agree a comprehensive Tree Report with SDCC Public Realm Section. This shall comprise of a detailed Tree Survey and Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, all in accordance with, BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by an independent, qualified Arborist and shall include all of the following:

**Tree Survey Plan:** all trees and hedges on and adjacent to the subject site (i.e. within falling distance thereof) shall be accurately plotted, tagged and shown on a scaled drawing of a topographical survey of the site.

**Tree Survey Schedule:** a summary of the surveyed trees and hedges, giving a breakdown of their tag nos., species, size, age, condition and useful life expectancy.

**Arboricultural Impact Assessment:** a thorough, detailed and realistic analysis and assessment of the likely impacts of the proposed development on the surveyed trees and hedges; along with a summary table of the tree population and quantification of impacts/losses etc. (total number surveyed and total numbers/percentage to be retained and felled respectively).

**Design Iteration- Adjustments, Revisions to Proposed Site Layout:** subsequent to and arising from the Impacts Assessment, the applicant's design team [especially arborist, consulting architect(s) and engineer(s)] shall demonstrate in their submission, that it has sufficiently explored and investigated layout alternatives, to achieve an optimal solution that meets South Dublin County Councils Tree Strategy and its Development Plan standards in respect of tree preservation and tree retentions, as appropriate.

**Tree Constraints Plan:** a scaled site plan (1:500@A1) showing the impacts of all surveyed trees in relation to the site layout of the proposed development.

**Tree Protection Plan:** a scaled site plan (1:500@A1) of the proposed development, clearly showing and distinguishing (by colour coding) those trees and hedges to be retained and protected and those to be removed ; showing alignments of Tree Protection Fencing and areas to be excluded from construction activities and compound(s), site office(s), plant, equipment and materials storage. Root Protection Areas (RPAs) of all trees and hedgerows to be clearly shown on this drawing.

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Arboricultural Method Statement: clear and practically-achievable measures to be used during the construction period, for the protection and management of all trees and hedges that are to be retained, as shown in the Tree Protection Plan.

Summary Table: Summary of all trees and hedgerow proposed for removal and retention to include numbers and percentages.

Pre Development Photo's: The applicant shall submit pictures of the existing trees/hedgerows before works commence with the tree protective fencing. This shall include a location map of where each picture was taken from.

Arborist's name, arboricultural qualifications and contact details.

Date that the survey was carried out (surveys > 12 months are unacceptable).

### **Assessment**

(1) Landscape Plan:

The applicant has submitted drawing ref *PL02 REV PA-FI-03* titled *Site Layout & Landscaping Plan* showing the layout and hard and soft treatment of all boundaries, features, external areas and green spaces. The drawing include materials, workmanship and design details under '*Proposed Landscaping Features*'. The applicant notes '*should the council be minded to grant planning permission, we would welcome a condition requiring detailed schedules of planting, species/varieties, quantites, sizes, rootball presentation and spacings*' and this is considered acceptable.

(2) Green Infrastructure:

The applicant has submitted a report by *McKenna Pearce Consulting Engineers* dated 7<sup>th</sup> January 2022 to demonstrate Green Infrastructure features incorporated into the design of the proposed development. The applicant notes that a discussion was held with a Local Authority Engineer and agreed on the most appropriate SUDS options and to incorporate a green roof.

The Surface Water Drainage Department has no objections subject to imposing standard conditions.

(3) Tree Survey

The applicant has submitted a report by *CMK Horticulture and Arboriculture Ltd*, titled *Arboricultural Assessment, Arboricultural Impact and Tree Protection Strategy Report dated 20<sup>th</sup> December 2021*.

In addition to the CMK report the following drawings titled *Arboricultural Keyplan / Impact and Assessment under Drawing Ref: 109, 108, 107, 106, 105 and 101* were

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*submitted.* The report recommends the removal of a number of trees and has outlined mitigation measures. A report was not received from the Public Realm / Parks Department with regards to the proposed removal of trees, however, it is recommended that standard Parks conditions should be imposed, should the application be granted.

### **Item 6**

#### **Roads.**

1. Subject to the above Additional Information item 2 (pedestrian lin), the applicant is requested to submit a revised layout showing a redesign for pedestrian and cyclist entry point from Somerton development to the proposed development facilitating direct and unrestricted pedestrian and cyclist access with a minimum 2.5m width of pedestrian and cycle lane connecting with the Somerton development.
2. The applicant shall submit a revised TTA with correct factors applied to background traffic flows. Applicant shall also implement some mitigation measures in the revised TTA showing measures taken to reduce existing and future traffic congestion at four-arm Newcastle Road/Shopping centre access/Esker Drive roundabout, as SDCC roads section have concerns with the existing traffic congestion issues at four-arm Newcastle Road/Shopping centre access/Esker Drive roundabout and to its close proximity to N4.
3. The applicant shall submit information with regards to their proposed bin/waste collection arrangement and bin storage and collection locations, including auto track analysis showing how bin truck can access and egress the site safely.
4. The applicant shall submit a revised layout showing, bicycle parking spaces for long term and short term in accordance with SDCC CDP 2016-2022 bicycle parking spaces standards.
5. The applicant shall submit a revised layout showing the service road to the rear of the proposed site road construction details are in accordance with Appendix 6 of the SDCC Taking in Charge standard as Recommended for road construction

### **Assessment**

The applicant has submitted a report from *Transport Insights* titled *Proposed Development at Lucan Shopping Centre, Lucan, Co. Dublin* dated February 2022. The applicant has also submitted a report from *Transport Insights* titled *Proposed Development at Lucan Shopping Centre – AIR Traffic and Transport Response Note* titled 04<sup>th</sup> February 2022.

The Roads Department has submitted a report requesting CAI, however, if this cannot be obtained that a grant with conditions applies. The report states the following:

#### **Additional Information Requested by SDCC:**

The Planning Authority generally welcomes the provision of a pedestrian/cyclist connection between the Somerton area and the Lucan Shopping Centre. However, the proposed execution of which is not considered to be of an acceptable high standard. The Planning Authority notes the requirements of the Adamstown Planning Scheme and the need to create a high-quality

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connection between the Lucan Shopping Centre and the residential lands to the west. The Planning Authority considers the proposed connection to be substandard. The pedestrian/cycle access should be uninterrupted and there should be a clear free and easy movement for 24 hours a day, 7 days a week. This has not been demonstrated through design. This issue has been addressed in the report above.

### Applicant Submitted Response in Additional Information:

The applicant confirms that the proposed pedestrian / cycle link will be open to the public seven days a week in accordance with the Shopping Centre's opening days.

Regarding 24-hour access, the applicant respectfully submits that this is not desirable or feasible. It is proposed that the link's operation will be aligned to the shopping centre's extensive trading hours. The link would be opened at approximately 07:00 and closed at 22:30, approximately 30 minutes after the Shopping Centre ceases trading in the evenings. It is submitted that these opening hours will cater for the vast majority of pedestrian and cyclist movements.

Allowing pedestrian and cyclist usage of the link outside trading hours is not considered feasible. Passive and active surveillance from the Shopping Centre will be available during trading hours only. Outside of these hours, passive and active surveillance cannot be offered by the Shopping Centre staff and customers. While there will be some passive surveillance from the new Somerton residential development, there remains the potential for anti-social behaviour at night-time.

On-site security for the Shopping Centre is only provided during opening hours. Currently there is no on-site security staff outside of trading hours, nor is it covered by mobile security patrols. The Shopping Centre is extensively covered by CCTV; however, this is not actively monitored outside of trading hours. It follows that this CCTV is unlikely to be a deterrent to potential anti-social behaviour outside of trading hours.

If the pedestrian / cycle link was open 24 hours a day, it would require on-site security outside of trading hours. This would need to be funded via an increase in the service charges for all tenants. It would not be possible to justify this increase in costs to tenants for security staff outside of trading hours.

We also note that alternative pedestrian / cycle linkages will be available from the Somerton development through the Westbury housing estate and along Tandy's Lane. It is submitted that these linkages benefit from far greater levels of passive surveillance outside of the Shopping Centre's trading hours. They are well lit, provide formal walkways, and are overlooked by residential properties and vehicle carriageways. This ensures that local residents have alternative pedestrian and cycle routes to the Newcastle Rd outside of the Shopping Centre's trading hours.

### Roads Department Assessment

The applicant will only allow access after 7am and before 10:30pm. This is not acceptable to the roads department, a high quality, permanent pedestrian, and cycle access is required. This issue has been addressed in the report.

### Additional Information Requested by SDCC:

2. The pedestrian/cycle connection is not significantly overlooked or provided with perceived passive surveillance.



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### Applicant Submitted Response in Additional Information:

The proposed development has been amended to ensure enhanced overlooking during the trading hours of the Shopping Centre. Four new double height windows have been added to the stair and lift core on the south and west elevation adjoining the pedestrian / cycle link. These are in addition to the proposed first-floor windows along the west elevation.

Furthermore, the customer plaza will be overlooked by the new retail unit and existing Units 31 (McDonalds) and 34 (Currently Vacant). As detailed in Figure 2 below, the pedestrian / cycle link will be well overlooked during trading hours of the Shopping Centre and present a welcoming environment for customers.

### Additional Information Requested by SDCC:

Roads are satisfied with the response.

3. The safety and comfort of users is not apparent in the proposed design and layout. It is proposed to intersect the pedestrian access with a service road to the west of the site and by a system of access-control by using manual swing gates. The gates by default will be temporarily closed when any delivery vehicles have to pass and then reopen. The movement of vehicles along the western boundary will thereby hinder the free movement of pedestrians and cyclists. This issue has been addressed in the report.

### Applicant Submitted Response in Additional Information:

The applicant notes the Council's concerns regarding the temporary closure of the gates for deliveries. For clarity, we confirm that there will be very limited instances when the gates are closed during trading hours, and only for brief periods.

The occupier of Unit 1 will only require deliveries four times a week. These deliveries will occur in the evening time or after the store has closed. While this operator will sell food and drink, this comprises ambient food and drink that has an extended shelf life (i.e. confectionary, snacks, cereals, tinned food, baking and spreads, tea / coffee, etc). The operator does not sell fresh food or drink therefore, it does not require daily deliveries of fresh food and drink.

When deliveries occur, the gates would be temporarily closed to allow delivery vehicles to access or egress between the existing service yard and new service yard. Once the delivery vehicle has accessed or egressed, the link would be opened again. The link would not be closed for the entire servicing period. Pedestrians and cyclists would be inconvenienced for a short number of minutes. This would be a similar delay experience by pedestrians crossing a public road at a signalised junction.

In addition to service vehicles to Unit 1 four times a week, there will be a requirement for refuse collection vehicles to access / egress from the new service yard. Refuse collections for the Shopping Centre occur twice a week between 07:00-09:00. Once again, the link would be closed to allow refuse collection vehicles to access / egress for a short number of minutes.

Accordingly, vehicles would need to access / egress a maximum of twice a day (should deliveries and refuse collections occur on the same day). Other days, there may be no deliveries or refuse collections leaving the link open throughout trading hours.

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Any inconvenience for pedestrians / cyclists would be for a very short period, similar to the delay experience by pedestrians crossing a public road at a signalised junction. We submit that this provides a suitable balance between the pedestrian / cycle movements and the occasional need for delivery and refuse collection vehicle movements.

### Roads Department Assessment

The applicant has submitted a response detailing that the delivery location and pedestrian/cycle access will still coincide. The applicant states that the interaction between the deliveries and pedestrians will be limited and a gate will be installed to prevent collisions. This issue has been addressed in the report.

### Additional Information Requested by SDCC:

4. It has not been demonstrated that the proposed route/connection would not give rise to anti-social behaviour.

### Applicant Submitted Response in Additional Information:

The proposed pedestrian / cycle link is approximately 7 metres wide, providing ample space for pedestrians and cyclists and surpassing the minimum width of 2.5 metres sought by the Council.

Alternative arrangements for the proposed pedestrian / cycle link were considered during the design feasibility and pre-planning meetings with the Council. These were:

1. Segregated pedestrian / cycle route to the rear of the service yard running to the north of the proposed extension; and
2. Entering the site from Hillcrest Grove to the north of the proposed extension.

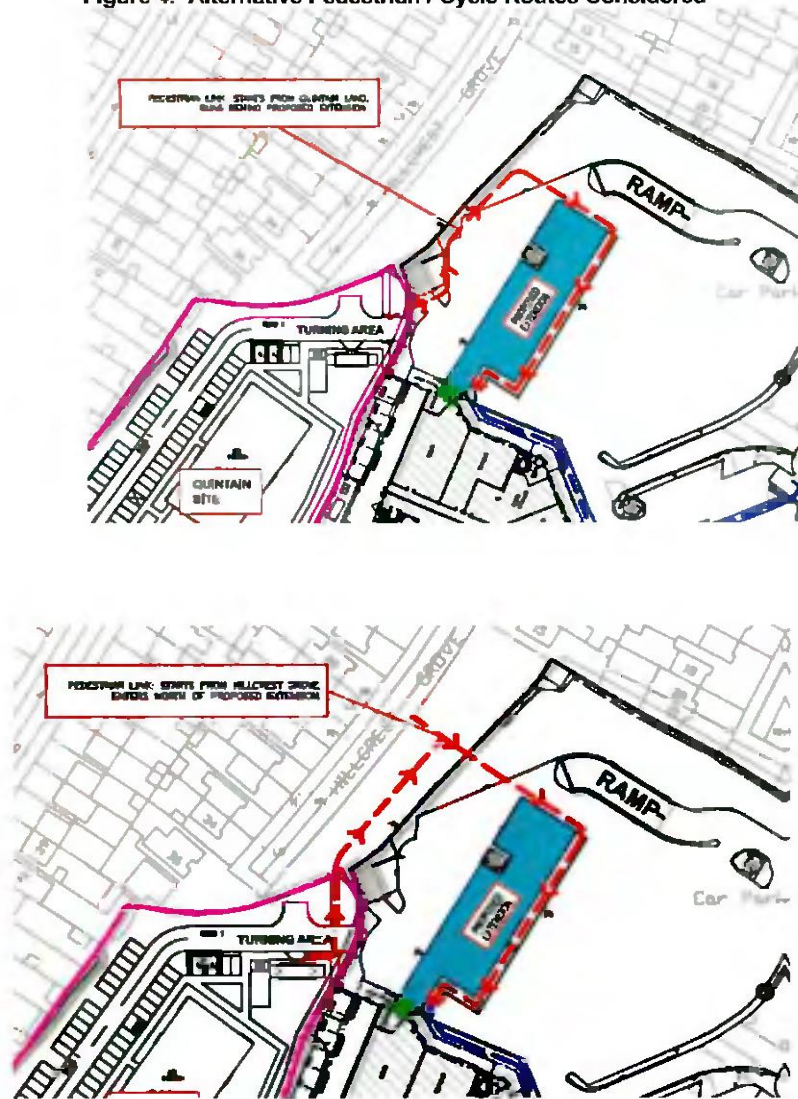
Each proposal presented significant technical or ownership challenges. They increased the travel distance for pedestrians and cyclists accessing or egressing from the Shopping Centre. Furthermore, they were likely to increase the potential for anti-social behaviour due to less passive surveillance offered.

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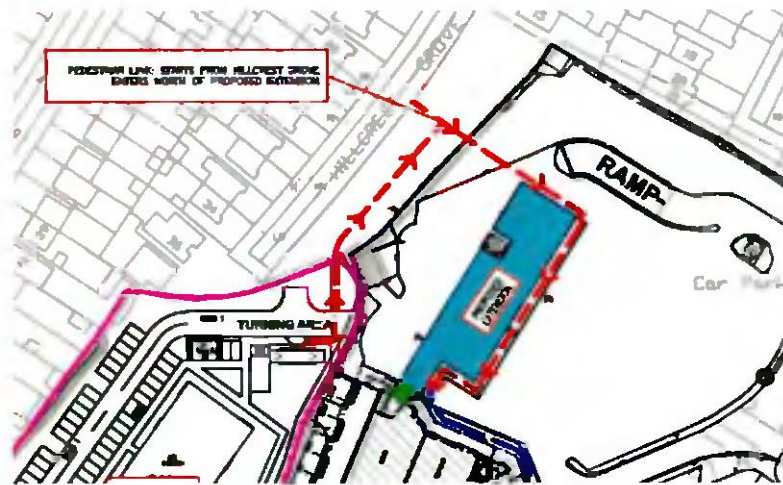
Figure 4: Alternative Pedestrian / Cycle Routes Considered



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The current proposal for the pedestrian / cycle link was ultimately chosen as it:

- Provides the most convenient and shortest distance between the Shopping Centre and Somerton development for customers and local residents
- Benefits from better passive surveillance compared to the alternative routes considered
- Creates a balance between the operational requirements of the new units and pedestrian / cycle movements

The location and layout of the proposed extension is dictated by several other considerations including the structural columns of the basement car park below. It was informed by a comprehensive architectural, structural, and viability assessments. Further detail on the design quality of the pedestrian link is included in the Design Statement.

### Roads Department Assessment

Roads are satisfied with the response.

### Additional Information Requested by SDCC:

#### 6. Roads.

1. Subject to the above Additional Information item 2 (pedestrian link), the applicant is requested to submit a revised layout showing a redesign for pedestrian and cyclist entry point from Somerton development to the proposed development facilitating direct and unrestricted pedestrian and cyclist access with a minimum 2.5m width of pedestrian and cycle lane connecting with the Somerton development.

### Applicant Submitted Response in Additional Information:

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The AIR Response Note (Transport Insights) and updated Design Statement (Jennings Architects) provides a detailed response regarding this item. The documents confirm that the pedestrian / cycle link is 7m wide, significantly more than the minimum 2.5m width required by the Council.

As outlined in this correspondence regarding Further Information Request 2.3, the pedestrian / cycle link will only be closed for very short periods during trading hours. Any inconvenience to customers or local residents would be similar to the delay crossing a public road at a signalised pedestrian crossing.

### Roads Department Assessment

The pedestrian/cycle link must be direct and unrestricted for pedestrian and cyclist access.

### Additional Information Requested by SDCC:

2. The applicant shall submit a revised TTA with correct factors applied to background traffic flows. The applicant shall also implement some mitigation measures in the revised TTA showing measures taken to reduce existing and future traffic congestion at four-arm Newcastle Road/Shopping centre access/Esker Drive roundabout, as SDCC roads section have concerns with the existing traffic congestion issues at four-arm Newcastle Road/Shopping centre access/Esker Drive roundabout and to its close proximity to N4.

### Applicant Submitted Response in Additional Information:

**Figure 3.1 Proposed Mitigation Measure at Roundabout (Concept Design Status)**



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As the preceding Tables 3.5 and 3.6 indicates modelling of the do-something scenario (background traffic growth, additional traffic generated by the development, plus proposed mitigation measures) demonstrate that said mitigation works improve the traffic flow at the roundabout such that the do-something RFC vales are similar to (and in some cases less than) the equivalent do-nothing (background traffic growth only) RFC values. Essentially the measures proposed mitigate the potential impact of the additional development traffic at the roundabout, such that it would operate at a similar capacity where no additional development traffic added. The proposed mitigation measures are considered to satisfactorily address the second part of the **Item 6.2** of the AIR.

### Roads Department Assessment

The applicant has submitted a drawing detailing mitigation measures for the roundabout junction on the Newcastle Road. These are acceptable to the roads department; the applicant must apply for a road opening licence from SDCC before works commence. A revised TTA has been submitted with background values calibrated by a traffic survey. The roundabout has an RFC above 0.8 in most directions meaning it is congested before the development has begun. Roads are satisfied with the response.

### Additional Information Requested by SDCC:

3. The applicant shall submit information with regards to their proposed bin/waste collection arrangement and bin storage and collection locations, including auto track analysis showing how bin truck can access and egress the site safely.

### Applicant Submitted Response in Additional Information:

Refuse vehicle shall access the site via the existing vehicular access junction with the R120 Newcastle Road located to the southeast of the site. Refuse collection for the proposed development will maintain similar arrangement to the existing Shopping Centre, in that the refuse vehicle will access the existing service yard from the southeast of the site, travel the length of the servicing yard to the new servicing area to the rear of the proposed development and

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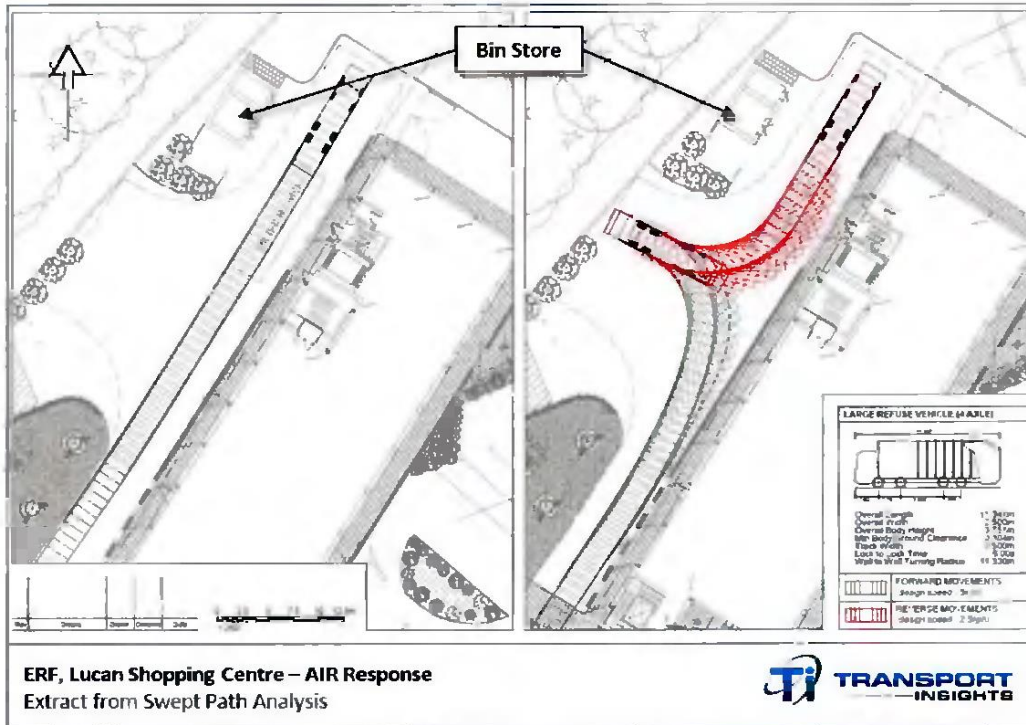
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collect refuse from the proposed bin store. The proposed bin store is located adjacent the proposed substation to the rear of the new unit. The refuse vehicle would then turn within the vehicle turning area proposed and travel back through the existing servicing area to reach Newcastle Road. Management of the Shopping Centre have advised refuse collection occurs twice weekly during the quiet morning period (07:00-09:00hrs). Given the infrequent occurrence of refuse collection during the quiet morning periods at the Centre, the temporary interruption of the pedestrian link from the Somerton development to facilitate the refuse vehicle accessing the new service yard from the existing yard is considered negligible. Centre personal will be on hand to operate the manual swing gates to allow access for the refuse vehicle, with the gates maintained in a closed position (i.e. block vehicle access) other than temporally opening to allow the refuse vehicle access the new service yard.

A swept path analysis has been undertaken to demonstrate the suitability of servicing arrangement in accommodating a large refuse vehicle to access, circulate within and egress the proposed servicing area. The following Figure 4.1 presents an extract of the swept path analysis drawing with a to-scale drawing included in Appendix E.

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Figure 4.1 Extract from Swept Path Analysis



Roads Department Assessment

The applicant has submitted details and swept path drawings for the refuse collection. The refuse vehicles will still cross the proposed pedestrian access. Concerns have been raised in this regard by the roads department. This issue has been addressed in the report.

Additional Information Requested by SDCC:

4. The applicant shall submit a revised layout showing, bicycle parking spaces for long term and short term in accordance with SDCC CDP 2016-2022 bicycle parking spaces standards.

Applicant Submitted Response in Additional Information:



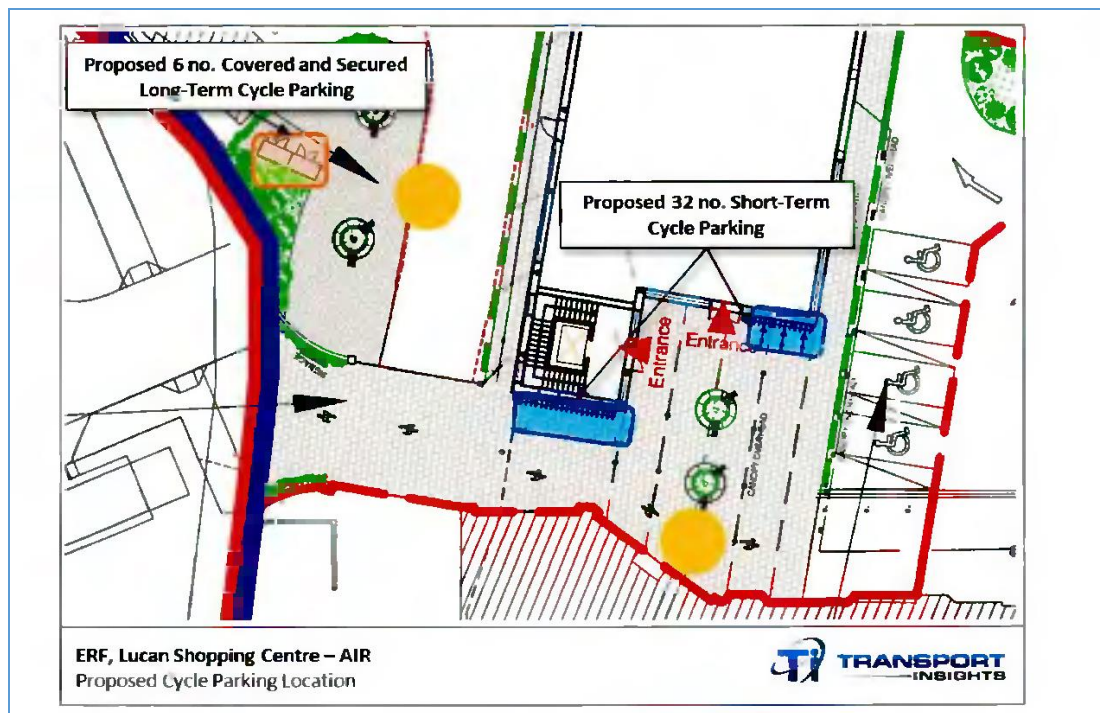
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As highlighted in the TTA, Table 11.22 of the current *South Dublin Development Plan* sets out a minimum requirement of cycle parking for different land uses. The layout drawings have been revised to indicate that the proposed development is to provide no. 32 covered short-term cycle parking spaces in the vicinity of the pedestrian accesses to the new building. In addition, 6 no. long-term cycle parking spaces in the form of secure and lockable bike storage sheds (2 no. 3 bike storage sheds) are also indicated on the drawings. An extract of the Architects' proposed floorplan drawing is presented in the following Figure 5.1, which illustrates the location of the proposed short- and long-term cycle parking at the proposed development.

This response is considered to satisfactorily address Item 6.4 of the AIR.



### Roads Department Assessment

Roads are satisfied with the response.

Additional Information Requested by SDCC:

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5. The applicant shall submit a revised layout showing the service road to the rear of the proposed site road construction details are in accordance with Appendix 6 of the SDCC Taking in Charge standard as Recommended for road construction.

### Applicant Submitted Response in Additional Information:

As detailed in the correspondence from McKenna Pearce, this submission includes a drawing 17097/C04A providing additional detail of the proposed service road and loading bay. This provides confirmation that the road construction detail will meet Taking in Charge standard.

### Roads Department Assessment

Roads are satisfied with the response.

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

1. Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority.
2. A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority. REASON: In the interest of sustainable transport.
3. The proposed development shall make 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 (4 no.) 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.
4. Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme for the development 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.
5. A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority. REASON: In the interest of sustainable transport.
6. Disabled parking shall be design using standards contained within Building Regulations Ireland 2010.
7. Car parking spaces dedicated for electrical charging shall be demarcated with "RRM 034" as per Chapter 7 Road Markings

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8. Prior to Commencement of construction activity on site, the applicant shall also engage in local consultation in respect of any noise sensitive location around the development, such noise sensitive locations should be provided with following.
  - Schedule of works to include approximate timeframes.
  - Name and contact details of contractor responsible for managing noise complaints.
  - Hours of operation-including any schedule times for use of equipment likely to be the source of significant noise.
  
9. Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

The above requirements are noted by the Roads Department, most notably the delivery location and pedestrian/cycle access will still coincide. The interaction between the deliveries and pedestrians will be limited and a gate will be installed to prevent collisions. This is not acceptable to the Roads Department and the Planning Authority. Any interaction between pedestrians and HGV delivery vehicles should be avoided. This issue has been addressed in the report and conditions have been recommended.

### **Item 7**

Water and Foul;

The applicant is required to engage with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure. The Confirmation of Feasibility (COF) must be submitted to the planning department as the response to this further information request. Pre-connection enquiries can be made at <https://www.water.ie/connections/get-connected/>.

### **Assessment**

The applicant has engaged with Irish Water through the submission of a Pre-Connection Enquiry (PCE) in order to determine the feasibility of connection to the public water infrastructure. The Confirmation of Feasibility (COF) has been submitted to the planning department as the response to this further information request under Irish Water Ref CDS22000212. The outcome of the connection enquiry as stated in the applicants response is that '*a wastewater connection is feasible without infrastructure upgrade by Irish Water*'.

Irish Water has no objections to the proposal subject to the following:

- Water: where the applicant proposes to connect to a public water network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

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- Foul: where the applicant proposes to connect to a public wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement

The response of the applicant is considered acceptable.

### **Item 8**

It is noted that no Public and Site Lighting design or layout has been submitted.

The applicant is requested to submit a Public and Site Lighting design and layout, this needs to be agreed with the lighting department of SDCC.

The Environmental Health Department request the following:

- (a) The identification of any neighbouring noise sensitive receivers who may be potentially impacted by the proposal
- (b) The identification of all operations conducted onsite as part of the development proposal that are likely to give rise to a public nuisance for the neighbouring noise sensitive receivers.
- (c) Distances between the development and the nearest noise sensitive receiver and the predicted level of noise (LAeq, 15min) from any development activities when assessed at the boundary of that receiver.  
(Laeq, 15min) from any development activities when assessed at the boundary of that receiver.
- (d) An assessment of the existing background (LA90,15 min) and ambient (LAeq,15 Min) acoustic environment at the receiver locations representative of the time periods that any noise impacts may occur. NOTE: For the purposes of the assessment background noise includes noise of the surrounding environment excluding all noise sources currently located on-site.
- (e) A statement outlining any recommended acoustic control measures that should be incorporated into the development to ensure the use will not create adverse noise impacts on the occupiers of any neighbouring noise sensitive properties

### **Assessment**

The applicant has submitted a public and site lighting design and layout by *M and E Consulting Engineers*, titled *External Lighting Design, Planning Stage Submission at Lucan Shopping Centre, Co. Dublin* dated 11<sup>th</sup> January 2022 and a Noise Report by *Acoustic Designs* titled *Noise Impact Assessment, Lucan Shopping Centre, Proposed Extension from Dr. Peter Hill* dated December 2021.

As per the above requests from (a)-(e), the assessment considers the impact of possible noise emissions from the proposed development on noise-sensitive locations in the surrounding environment. The report concludes that the '*estimated noise emissions from the proposed development are unlikely to result in a disturbance at noise-sensitive locations close to the development site*'.

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A report was not received from the Public Lighting Department with regards to the impact of site lighting and noise, however, it is deemed that the applicant would be required to comply with standard Public Lighting by conditions in the event of a grant of permission.

The Environmental Health Department have strong concerns regarding the noise impact and the acoustic report and state the following comments:

*The main concerns from Environmental Health relate to potential noise disturbance. It is noted that the site is surrounded by residential properties and therefore there is potential for noise disturbance to the residents.*

*The site layout plans indicate a loading area proposed within close proximity to the adjoining residential houses along Hillcrest Grove. On view of the overall site there are genuine concerns regarding the potential impact of noise on the surrounding residents given the distance between the loading area and residents.*

*The plans allow provision for the turning of large articulated trucks. This activity will invariably have an impact on the existing residents at Hillcrest Grove and Hillcrest Court to the north of the site. The Environmental Health Department requested an acoustic report to assess the potential noise impact in more detail.*

*The acoustic report submitted by Acoustic Designs predicts the noise level during vehicles deliveries to be 58.9dB. This is approximately 11dB above the measured daytime background noise level and 25dB above the night time level.*

*This represents a significant increase to noise levels during both day and nighttime and is very likely to result in complaints being generated. The characteristics of truck noise which includes beeping when reversing further exacerbates the impact of this noise. The intermittent frequency which is typical of deliveries is also likely to add to the distress of residents, particularly for residents working from home or working shift patterns and sleeping during the day.*

*In view of this Environmental Health request that the applicant review operations on site with a view to changing the location of the loading area. Should the applicant intend on constructing the loading area within such close proximity to residential dwellings the applicant would need to provide further detail on mitigation measures for reducing the noise level generated by deliveries and use of the loading area.*

The Environmental Health Department have strong concerns regarding the noise impact and the acoustic report and state that 'The acoustic report is predicting significant increases to the noise levels in a high-density residential area'. It is noted that the primary concerns relate to the

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loading and unloading of the site. It is recommended that a condition be imposed to limit the noise and operation of deliveries.

### **Development Contributions Assessment Overall Quantum**

- Unit 1 will be used as a shop (1,057sq.m),
  - Unit 2 will be used for professional services or health centre or office or gymnasium ( 517sq.m);
  - standalone substation/switch room (30sq.m);
- Assessable Area: 1,604sq.m

### **SEA Monitoring Information**

Building Use Type Proposed:

Floor Area: 1,604sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.33 Hectares.

### **Conclusion**

Overall, the Planning Authority Supports the principle of the proposed development, however concerns are maintained in relation the design of the proposed extension as well and the operation of the proposed route leading into the adjoining Adamstown SDZ lands. As set out in the report above, these concerns can however be overcome by way of Planning Condition. It is therefore considered that the proposed development is, on balance, deemed to be acceptable.

### **Recommendation**

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

## **FIRST SCHEDULE**

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

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### SECOND SCHEDULE

#### Conditions and Reasons

1. Development to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 09/02/2022, 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.
2. Pedestrian Link.  
The pedestrian link hereby permitted shall be kept permanently open and shall not be closed or have movement restricted, unless otherwise agreed in writing with the Planning Authority. Prior to occupation of the units, the applicant shall submitted full details of the access arrangements/boundary with the adjoining housing development, including full details of any gates/ barriers for the written agreement of the Planning Authority.  
REASON: In order to limit disturbance of the proposed pedestrian route and in the interests of orderly development and the amenities of the area.
3. Restrictions on Signage.  
Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the development or within the curtilage of the site, unless authorised by a grant of planning permission.  
REASON: To protect the visual amenities of the area and in the interest of the proper planning and sustainable development of the area.
4. 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) The proposed access gates to the service areas shall not be capable of opening across the proposed pedestrian route
  - (b) The ground floor front (southeastern) elevation shall be redesigned to provide significant glazed elements and openings in the elevation.
  - (c) In conjunction with (a) above, the applicant shall submit a Management Plan, setting out the supervision protocols of all deliveries so as to ensure the safe vehicular crossing of

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the proposed pedestrian route. The Management Plan shall include for relevant safety/warning signage and include measures to limit the extent of disturbance for pedestrians/cyclists.

REASON: To ensure the safe operation of the pedestrian route, to protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

### 5. Operational Noise.

(a) Noise due to the normal operation of the proposed development, expressed as LAeq over 15 minutes at the façade of any noise sensitive location, shall not exceed the daytime background level i.e. 0700 – 1900 by more than 10 dB(A) and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 .

Clearly audible and impulsive tones at noise sensitive locations during evening and night as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be avoided irrespective of the noise level.

(b) Noise levels from the proposed development, or associated deliveries, shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any residence, adjoining premises or public place in the vicinity.

(c) All mechanical plant and ventilation inlets and outlets should be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as LAeq over 15 minutes at 1 meter from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

### 6. Equipment Noise.

Plant equipment with low inherent potential for generation of noise shall be selected and used. All mechanical plant and ventilation inlets and outlets should be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as LAeq over 15 minutes at 1 meter from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006.

REASON: To avoid unnecessary noise nuisance and in the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, and to uphold the Council's amenity policies set out in the South Dublin County Council



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Development Plan.

### 7. Street Lighting

A maximum of two weeks from the date of any Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of works on site the applicant, owner or developer shall have lodged with the Planning Authority for written agreement:

A Public Lighting Scheme for the development as approved, designed to provide for high quality public lighting throughout the public realm of the site, prepared by competent public lighting design consultants to BS5489: European Lighting Standard EN13201 2013 or the latest NSAI (National Standards Authority of Ireland) versions approved, and the SDCC Specification for Public Lighting Installations in Residential and Industrial Developments: Revision 2 dated 14/10/2016.

Completed Lighting Design and Electrical designs to serve the entire development including details of the overall height of all proposed equipment shall be lodged with the Public Lighting Scheme. The public lighting scheme shall be contained within the public realm of the development as approved, entirely in areas to be offered for taking in charge or subject to the responsibility in perpetuity of an approved management company. Appropriate natural or artificial lighting or both shall be provided and maintained throughout car parking areas.

The external lighting scheme shall be designed to minimise potential glare and light spillage and shall be positioned and/or cowled away from residential properties. No lighting column shall be located within the eventual canopy spread of any proposed street tree or other tree as the case may be. The public lighting design consultants should consult with the Council's Parks section in this regard.

In addition, no dwelling unit/commercial unit shall be occupied on any street until the public lighting provided for that street is operational fully in accordance with the agreed Public Lighting Scheme for the overall development.

The applicant, owner or developer may consult with the Council's Public Lighting Section before lodging the required plan for agreement.

**REASON:** In the interests of public safety and amenity, to prevent light pollution and in the interests of the proper planning and sustainable development of the area.

### 8. Layout.

Prior to the occupation of the proposed development, the following detail shall be submitted to and agreed in writing by the Planning Authority:

- (a) Details of the exact use of Unit 2;
- (b) Layout and window treatment of Unit 1 and 2;

**REASON:** To ensure a satisfactory standard of development and in the interest of the proper planning and sustainable development of the area.

### 9. Restrictions on Deliveries.

Unless otherwise agreed in writing with the Planning Authority, the development hereby

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approved shall receive a maximum of two deliveries per day.

REASON: In order to limit disturbance of the proposed pedestrian route and in the interests of orderly development and the amenities of the area.

### 10. Drainage.

Prior to commencement of development the applicant shall submit:

(1) a revised drawing showing the proposed surface water drainage system connecting to the existing surface water drainage system in the direction of flow and not against the direction of flow which is shown on submitted drawing no. C01-17097

(2) a revised drawing showing a cross section detail of proposed green roof system.

- The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
- All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
- All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interest of public health and to ensure adequate water and waste water facilities.

### 11. 1. Water

Where the applicant proposes to connect to a public water network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

### 2. Foul

Where the applicant proposes to connect to a public wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

REASON: In the interest of public health and to ensure adequate water and waste water facilities.

### 12. Roads Issues.

(a) Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority.

(b) A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.

(c) The proposed development shall make 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

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car parking spaces (4 no.) 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.

(d) Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme for the development 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.

(e) Disabled parking shall be design using standards contained within Building Regulations Ireland 2010.

(f) Car parking spaces dedicated for electrical charging shall be demarcated with "RRM 034" as per Chapter 7 Road Markings

(g) Prior to Commencement of construction activity on site, the applicant shall also engage in local consultation in respect of any noise sensitive location around the development, such noise sensitive locations should be provided with following.

- Schedule of works to include approximate timeframes.
- Name and contact details of contractor responsible for managing noise complaints.
- Hours of operation-including any schedule times for use of equipment likely to be the source of significant noise.

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

### 13. Construction Waste Management Plan.

All construction waste arising from the development of the site as approved shall be managed in accordance with all relevant statutory provisions and an agreed site specific Construction Waste Management Plan. All such waste shall be kept to a minimum, segregated where appropriate, and disposed/recovered at a waste facility authorised under the Waste Management (Facility Permit and Registration) Regulations 2007, as amended, to accept the categories of waste.

All construction and demolition waste shall be managed in accordance with this plan which shall be prepared in accordance with the 'Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects', published by the Department of the Environment, Heritage and Local Government in 2006 and the provision of the Waste Management Plan for the Dublin Region.

REASON: In the interests of public safety, compliance with Development Plan Policy and sustainable waste management.

### 14. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €155,448.24 (one hundred and fifty five thousand four hundred and forty eight euros and twenty four

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cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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

**REG. REF. SD21A/0161**

**LOCATION: Lucan Shopping Centre, Newcastle Road, Co. Dublin**

*Colm Harte*

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

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

**Date: 08/03/2022**

*Hazel Craigie*  
\_\_\_\_\_  
**Hazel Craigie, Senior Planner**