

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

**Reg. Reference:** SD21A/0323      **Application Date:** 29-Nov-2021  
**Submission Type:** Additional      **Registration Date:** 08-Mar-2022  
Information

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

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

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

**Applicant Name:** New Ireland Assurance Company PLC

**Application Type:** Permission

(COS)

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

Site Area: stated as 0.14065 Hectares on the application.

Site Visit: 20<sup>th</sup> of January 2022.

### **Site Description**

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

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

### **Proposal**

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

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

### **Zoning**

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

### **Consultations**

Water Services – further information requested.

Irish Water – no objection subject to conditions.

Roads Department – further information requested.

Public Realm Section – no objection subject to conditions.

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

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

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

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

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

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

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

### **Relevant Planning History**

SD10A/0229

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

### **Permission refused for the following reason:**

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

S01A/0034

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

S00A/0736

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

S99A/0588

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

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

### **Relevant Enforcement History**

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

### **Pre-Planning Consultation**

PP220/17

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

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

*7 Infrastructure & Environmental Quality*

*Policy IE1 Water & Wastewater*

*Policy IE2 Surface Water & Groundwater*

*Policy IE5 Waste Management*

*Policy IE7 Environmental Quality*

*8 Green Infrastructure*

*Policy G1 Overarching*

*Policy G2 Green Infrastructure Network*

*Policy G5 Sustainable Urban Drainage Systems*

*Policy G6 New Development in Urban Areas*

*9 Heritage, Conservation & Landscapes*

*Policy HCL1 Overarching*

*Policy HCL15 Non-Designated Areas*

*11 Implementation*

*Section 11.2.7 Building Height*

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

*Section 11.2.9 Shopfront Design*

*Section 11.3.6 Retail Development*

*Section 11.4.1 Bicycle Parking Standards*

*Section 11.4.2 Car Parking Standards*

*Section 11.6.1 Water Management*

*Section 11.6.3 Environmental Hazard Management*

*Section 11.6.5 Waste Management*

*Section 11.7.1 Energy Performance in New Buildings*

*Section 11.8.1 Environmental Impact Assessment*

*Section 11.8.2 Appropriate Assessment*

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

*Schedule 6 Outdoor Advertising Strategy*

### **Relevant Government Guidelines**

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

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

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

### **Assessment**

The main issues for assessment relate to:

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

### ***Zoning and Council Policy***

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

### ***Visual Amenity***

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

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

A third party submission has raised concerns in regard to the visual impact of the proposed signage structure at the roof level of the building. Overall, the signage proposal would include signage on the northern (side) and western (rear) elevations of the building, on the roof level structure and along the drive through. Signage proposals are subject to assessment under Section 11.2.8 and Schedule 6 Outdoor Advertising Strategy of the County Development Plan. As per Figure 1 of Schedule 6 the site is located within Zone of Advertising Control 2. Outdoor advertisements are permitted within this zone subject to special development management measures set out in Section 7.

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

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

### ***Landscaping***

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

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

# Comhairle Chontae Atha Cliath Theas

PR/0476/22

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

- i. a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;*
- ii. location, type and materials to be used for hard landscaping including specifications, where applicable for:*
  - a) permeable paving*
  - b) tree pit design*
  - c) underground modular systems*
  - d) Sustainable urban drainage integration*
- iii. a schedule detailing sizes and numbers/densities of all proposed trees/plants;*
- iv. specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and*
- v. types and dimensions of all boundary treatments*

*All soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced.*

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

### ***Traffic and Parking***

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

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

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

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

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

*shop use, as the development is located within Lucan Retail Park where adequate parking for additional required car parking is available for the proposed development. SDCC Roads Department is satisfied with the provision of car parking spaces at the development. As the site is located alongside a QBC a reduction in the carparking would be permissible. Therefore, Roads accept that 240 car spaces are quite adequate.*

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

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

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

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

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

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

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



# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

*Roads recommend that additional information be requested from the applicant:*

- 1. Roads Department recommends that the applicant shall submit to planning authority a letter of no objection from TII for the proposed development.*
- 2. The applicant shall submit a revised layout showing a provision of bicycle parking spaces consistent with SDCC standards, please refer to "Table 11.22: Minimum Bicycle Parking Rates" of the county development plan 2016-2022.*
  - a. All external bicycle parking spaces shall be covered.*
- 3. The applicant shall submit a revised layout showing a minimum 2.0m wide footpath to accommodate mobility impaired users at the proposed development.*
  - a. Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.*
- 4. The applicant shall submit a revised layout showing provision for the charging of electric vehicles. 100% of surface car parking spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 10% of surface car parking spaces must be provided with electric vehicle charging points initially. Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. REASON: In the interest of sustainable transport.*
- 5. The applicant shall submit a revised layout showing a provision of bicycle parking spaces consistent with SDCC standards, please refer to "Table 11.22: Minimum Bicycle Parking Rates" of the county development plan 2016-2022.*

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

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

# Comhairle Chontae Atha Cliath Theas

PR/0476/22

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

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

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

# Comhairle Chontae Atha Cliath Theas

PR/0476/22

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

### *Services and Drainage*

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

*1.1 The proposed stormtech attenuation tank capacity of 26.6m<sup>3</sup> is undersized by approximately 8% for a 30 year storm event and undersized by 53% for a 100-year storm event. There shall be a minimum clear distance of 5m between the proposed attenuation system and the proposed building.*

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

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

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

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

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

### *Screening for Environmental Impact Assessment*

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

### *Screening for Appropriate Assessment*

The applicant has not provided information to assist the screening for Appropriate Assessment. Having regard to the nature of the development, connection to public services and the distance

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

from the Natura 2000 sites the proposed development would not require a Stage 2 Appropriate Assessment.

### **Conclusion**

Having regard to the:

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

it is considered that **Additional Information** is required, to ensure the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

Request Additional Information.

### **Additional Information**

Additional Information was requested on the 1<sup>st</sup> of February 2022.

Additional Information was received on the 8<sup>th</sup> of March 2022 (not deemed significant).

### **Additional Information Consultations**

Public Realm – clarification of additional information requested.

Roads Department – clarification of additional information requested.

Water Services – no objection subject to conditions.

Irish Water – no objection subject to conditions.

### **Assessment**

#### ***Item 1 Requested***

*While the Planning Authority does not oppose additional signage at this location to advertise the coffee shop, it is considered that the signage at roof level could be better incorporated into the building so as not to be so visually obtrusive. The applicant is requested to submit a revised signage proposal omitting the signage structure at roof level and revising the signage to fully comply with Section 11.2.8 and Schedule 6 Outdoor Advertising Strategy of the South Dublin County Development Plan 2016-2022.*

Assessment:

The applicant has submitted a revised proposed development that omits the signage structure at roof level. This reduces the overall height of the building so that it sits at 3.9 m in height. As a result, the visual impact of the proposal is improved. Signage would still be provided on the

# Comhairle Chontae Atha Cliath Theas

PR/0476/22

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

northern, eastern and western elevations. This signage is at an appropriate scale and complies with the County Development Plan. It is therefore considered that this item has been satisfactorily addressed.

### ***Item 2 Requested***

*The applicant is requested to submit a detailed landscape plan, with full works specification, that accords with the specifications and requirements of the Council's Public Realm Section. The Landscape Plan shall include hard and soft landscaping including levels, sections and elevations in addition the applicant is requested to submit a fully detailed Planting Plan for boundary planting/hedgerows for the development. Details shall include:*

- i. a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;*
- ii. location, type and materials to be used for hard landscaping including specifications, where applicable for:*
  - (a) permeable paving*
  - (b) tree pit design*
  - (c) underground modular systems*
  - (d) Sustainable urban drainage integration*
- iii. a schedule detailing sizes and numbers/densities of all proposed trees/plants;*
- iv. specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and*
- v. types and dimensions of all boundary treatments.*

### Assessment:

The applicant has submitted a landscape masterplan and landscape rationale statement. Public Realm has reviewed the additional information submitted and requests clarification of additional information:

### *Main Issues*

- 1. Insufficient SuDS. SuDS should address amenity and biodiversity as well as water quality and attenuation in localised above ground natural features. SDCC do not approve of underground tanks unless the full potential of the site to manage surface water in localised natural features has been examined.*
- 2. Lack of integration of sustainable drainage proposals into the landscape proposals.*

### *1. SuDS*

*There is a lack of SuDS (Sustainable Drainage System) shown for the proposed development. SDCC do not approve of using underground tanks as part of SuDS schemes where the full potential for the natural drainage features has not been explored. The green open space to the*

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

*north east of the proposed development, that lies within the blue line ownership boundary, should be considered for incorporation of SuDS feature such as a rain garden.*

*Greater effort should be made to manage surface water in above ground natural features that offer amenity, biodiversity and water quality treatment as well as attenuation storage to reduce or eliminate the need for underground storage. The SUDS should be an integrated multi-disciplinary approach which locally addresses water quality, water quantity, and provides for amenity and biodiversity enhancement which meets the objectives of South Dublin County Council Development Plan 2016-2022.*

*The attenuation capacity of all SuDS features should be included in calculating storage volume and details are to be provided.*

*Reason: To uphold the policies of the South Dublin County Council Development Plan 2016-2022 relating to Sustainable Urban Drainage, and to provide for the proper planning and sustainable development of the area.*

### *2. Landscape Plan*

*The SuDS proposals should be shown on the landscape plan. Tree pits detail to incorporate bioretention storage.*

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

*i. a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;*

*ii. location, type and materials to be used for hard landscaping including specifications, where applicable for:*

*a) permeable paving*

*b) tree pit design*

*C) Sustainable urban drainage integration*

*iii. a schedule detailing sizes and numbers/densities of all proposed trees/plants;*

*iv. specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and*

*v. types and dimensions of all boundary treatments*

*All soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely*

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

*damaged or diseased within five years of planting shall be replaced. Clarification of Additional Information*

*REASON: To uphold the policies of the South Dublin County Council Development Plan 2016-2022 relating to Green Infrastructure and SuDS, and to provide for the proper planning and sustainable development of the area.*

The report from Public Realm is noted. The applicant has stated that some SuDS measures, such as detention basins, swales and bio-retention planters, cannot be incorporated in the subject site due to lack of available open space area (within the site boundary). The proposal would include permeable paving, tree pits and underground attenuation. It is noted that the proposed development is for a building on an existing hard surface (non-permeable) car park. Given the above it is considered that this item has been satisfactorily addressed subject to conditions.

### ***Item 3 Requested***

*The applicant is requested to submit the following:*

- (a) A record of consultation with Transport Infrastructure Ireland (TII) for the proposed development.*
- (b) A revised layout showing a provision of bicycle parking spaces consistent with SDCC standards, please refer to "Table 11.22: Minimum Bicycle Parking Rates" of the South Dublin County Development Plan 2016-2022. All external bicycle parking spaces should be covered.*
- (c) A revised layout showing a minimum 2.0m wide footpath to accommodate mobility impaired users at the proposed development. Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.*
- (d) A revised layout showing provision for the charging of electric vehicles.*

Assessment:

The Roads Department has reviewed the additional information submitted and requests clarification of additional information:

*Additional Information Requested by SDCC:*

- (a) A record of consultation with Transport Infrastructure Ireland (TII) for the proposed development.*

*Applicant Submitted Response in Additional Information:*

In response to part a), there has been no consultation with TII in relation to the proposed development. This application is not on a national road, but rather is on a preexisting facility on a local road.

*Roads Department Assessment:*

*The applicant has not provided a letter of no objection from the TII.*

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

*Additional Information Requested by SDCC:*

*(b) A revised layout showing a provision of bicycle parking spaces consistent with SDCC standards, please refer to "Table 11.22: Minimum Bicycle Parking Rates" of the South Dublin County Development Plan 2016-2022. All external bicycle parking spaces should be covered.*

*Applicant Submitted Response in Additional Information:*

In response to part b), Minimum bicycle parking standards are *1 space per 5 staff and 1 space per 10 seats*. 12 bicycle parking spaces are proposed, 4 spaces for staff and 8 spaces for customers. This is over the minimum standards and therefore in accordance with the South Dublin County Development Plan 2016-2022. Please see enclosed drawing no. PL401, prepared by JDA Architects, which show plans, elevations and sections of the proposed covered bicycle shelters.

*Roads Department Assessment:*

*A drawing has been provided showing the bicycle parking. Roads are satisfied with the submission.*

*Additional Information Requested by SDCC:*

*(c) A revised layout showing a minimum 2.0m wide footpath to accommodate mobility impaired users at the proposed development. Footpath layout shall provide adequate connectivity around the development and footpaths on the main road.*

*Applicant Submitted Response in Additional Information:*

In response to parts c) and d), see drawing no. PL400, prepared by JDA Architects, which indicate 2 metre wide footpaths throughout the site and the provision for 2 no. spaces with electric charging points.

*Roads Department Assessment:*

*A drawing has been submitted detailing the provision of 2.0m wide footpaths. Roads are satisfied with the submission.*

*Additional Information Requested by SDCC:*

*(d) A revised layout showing provision for the charging of electric vehicles.*

*Applicant Submitted Response in Additional Information:*

In response to parts c) and d), see drawing no. PL400, prepared by JDA Architects, which indicate 2 metre wide footpaths throughout the site and the provision for 2 no. spaces with electric charging points.

*Roads Department Assessment:*

*A drawing has been submitted detailing the provision of 2no. EV charging spaces. Roads are satisfied with the submission.*

*Roads recommends that additional information be requested from the applicant:*



# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

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

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

1. *The proposed signage shall meet the criteria for signage as outlined in SDCC CDP section 11.2.8. and table 11.9.*

2. *Prior to the commencement of development, the applicant shall agree in writing a public lighting scheme with South Dublin County Council Lighting Department. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of South Dublin County Council Lighting Department.*

3. *All items and areas for taking in charge shall be undertaken to a taking in charge standard. Prior to development the applicant shall submit construction details of all items to be taken in charge. No development shall take place until these items have been agreed. Updated SDCC Taking in Charge standards.*

4. *Prior to commencement of development a developed Construction Traffic Management Plan shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.*

5. *Prior to commencement of development a developed Construction & Demolition Waste Management Plan shall be submitted and agreed with the planning department. The agreed plan, along with the written agreement of the planning department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.*

6. *A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be agreed with the roads department and the agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.*

The report from Roads is noted. Transport Infrastructure Ireland was consulted on the application by SDCC. It is noted that no objection was received. The removal of the signage structure further reduces the visual impact of the structure when viewed from the N4. No frontage nor access is proposed onto this national road. It is therefore considered that this item has been satisfactorily addressed subject to conditions.

### ***Item 4 Requested***

*Additional attenuation of 8% and 53% for 1 in 30 and 1 in 100 year respectively is required, however, overall surface water should be firstly managed by means of a Sustainable Urban Drainage System (SuDS). Only as a last resort should an arched type attenuation system be used*

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

*be used to attenuate surface water. The applicant is requested to submit a revised report and drawing showing SUDS incorporated into the proposed development and an increased surface water attenuation. Examples of SuDS include:*

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

### Assessment:

The applicant has submitted an Engineering Services Report. Above ground SuDS including permeable paving and tree pits have been incorporated into the proposed design. A stormtech attenuation tank would be included. Water Services have reviewed the additional information received and have no objection subject to standard conditions. The report from Water Services is noted. It is therefore considered that this item has been satisfactorily addressed subject to conditions.

### Summary:

In summary, it is considered that these items have been satisfactorily addressed and permission can be granted subject to conditions.

### **Development Contributions**

Coffee shop 170.45sq.m

### **SEA monitoring**

Building Use Type Proposed: Coffee shop

Floor Area: 170.45sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 0.14065 Hectares.

### **Conclusion**

Having regard to the:

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

it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the

# **Comhairle Chontae Atha Cliath Theas**

**PR/0476/22**

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

amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Recommendation**

I recommend that 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.

### **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 the 8th of March 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. Hours of Operation.  
Prior to the commencement of development the applicant/developer shall submit the opening hours for the unit for the written agreement of the Planning Authority.  
REASON: In the interest of residential amenity, and the proper planning and sustainable development of the area.
3. Landscape Plan  
Prior to the commencement of development, the applicant/developer shall submit for the written agreement of the Planning Authority, following consultation with the Public Realm Section if required, a fully detailed landscape plan, with full works specification, that accords with the specifications and requirements of the Council. The landscape plan shall include hard and soft landscaping including levels, sections and elevations. In addition the applicant is required to submit a fully detailed Planting Plan for boundary

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

planting/hedgerows for the development. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion of the development, whichever is the sooner. Details shall include:

- (i) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- (ii) location, type and materials to be used for hard landscaping including specifications, where applicable for:
  - (a) permeable paving
  - (b) tree pit design (to incorporate bioretention storage)
  - (c) Sustainable urban drainage integration
- (iii) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- (iv) specifications for operations associated with plant establishment and maintenance that are compliant with best practice; and
- (v) types and dimensions of all boundary treatments

All soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced.

**REASON:** To uphold the policies of the South Dublin County Council Development Plan 2016-2022 relating to Green Infrastructure and SuDS, and to provide for the proper planning and sustainable development of the area.

#### **4. Roads**

(a) Prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority, following consultation with SDCC's Roads Department and Lighting Department if required:

- (i) A public lighting scheme for the development. Once agreed, the scheme shall be constructed/installed to taking in charge standards at the expense of the developer and to the satisfaction of SDCC's Lighting Department.
- (ii) Construction details of all items to be taken in charge. All items and areas for taking in charge shall be undertaken to SDCC's taking in charge standards.
- (iii) A developed Construction Traffic Management Plan. The written commitment of the applicant/developer to implement the agreed plan shall also be submitted.
- (vi) A developed Construction & Demolition Waste Management Plan. The written commitment of the applicant/developer to implement the agreed plan shall also be submitted.

(b) A Mobility Management Plan shall be completed within six months of opening the development. The Mobility Management Plan shall be submitted for the written agreement of SDCC's Roads Department. The written commitment of the applicant/developer to implement the agreed plan shall also be submitted.

**REASON:** In the interests of visual and residential amenity, sustainable development and pedestrian and traffic safety.

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

5. Irish Water Connection Agreement.  
Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.  
REASON: In the interest of public health and to ensure adequate water/wastewater facilities.
6. Drainage
  - (a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
  - (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
  - (c) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
7. 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.
8. Minimise Air Blown Dust.  
During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.  
REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.
9. Construction Noise and Hours.  
To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-

# Comhairle Chontae Atha Cliath Theas

**PR/0476/22**

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

time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

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

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, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

### 10. 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 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

# **Comhairle Chontae Atha Cliath Theas**

**PR/0476/22**

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

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.

### **11. Restrictions on Advertising.**

No planning permission is hereby granted for the application of any vinyl manifestations to the windows of the unit hereby approved. The glazing to all windows shall be kept free of all stickers, posters and advertisements.

REASON: In the interests of visual amenity and to ensure the provision of active frontages.

### **12. Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €16,833.64 (sixteen thousand eight hundred and thirty three euros and sixty four 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 contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

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.

# **Comhairle Chontae Atha Cliath Theas**

**PR/0476/22**

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

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.



**Comhairle Chontae Atha Cliath Theas**

**PR/0476/22**

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

**REG. REF. SD21A/0323**

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

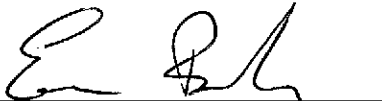
*Colm Harte*

**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:**

11/4/22



**Eoin Burke, Senior Planner**