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Land Use, Planning & Transportation Department
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The Secretary,
c/o An Bord Pleanála
64 Marlborough Street
Dublin 1.

Our Ref: SD21A/0161
Your Ref: ABP-313136-22

25th April 2022

Appeal Re: Lucan Shopping Centre, Newcastle Road, Co. Dublin
(ERF Lucan Investment DAC)

Dear Sir / Madam

I refer to your letter dated 29th March 2022 regarding the above mentioned appeal and confirm herewith the Council's response to this appeal.

Objection 1 Size of development

Response:

As set out in the Planning Authority report under '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.

Objection 2 Noise Pollution

Response:

The report of the Planning Authority recommends the inclusion of the following conditions (Condition 5 and 6) to mitigate the potential negative impact of noise on the surrounding properties.

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 Development Plan.

Objection 3 Roads / Traffic

Response:

The application has been reviewed by the Roads division of the Planning Authority and a Mobility Management Plan has been conditioned. This is considered adequate to address the potential negative impact of the proposed development.

