

# Comhairle Chontae Atha Cliath Theas

**PR/0562/22**

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

**Reg. Reference:** SD22A/0072      **Application Date:** 04-Mar-2022  
**Submission Type:** New Application      **Registration Date:** 04-Mar-2022

**Correspondence Name and Address:** Brendan Boyle, Avison Young 4th Floor, 2-4, Merrion Row, Dublin 2

**Proposed Development:** (i) Retention permission for 'Click and Collect' signage in the existing Tesco car park; and (ii) permission for the construction of a sheltered canopy (c50 sq.m) in the existing car park for the purpose of providing 2 dedicated 'Click and Collect' spaces for the existing Tesco store and all associated site development works.

**Location:** Tesco, Hillcrest Shopping Centre, Hillcrest Walk, Hillcrest, Lucan, Dublin

**Applicant Name:** Tesco Ireland Limited

**Application Type:** Permission and Retention

(EW)

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

Site visit: 27/04/2022

Site Area: stated as 0.0112 ha

### **Site Description:**

The subject site is located at the main Tesco Retail Supermarket, Hillcrest Shopping Centre, Lucan, Co. Dublin. Residential areas of Woodview, Cherry Lawns and Hillcrest Drive are located north, west, and south of the shopping centre. The N4 road is located northeast of the subject site. An existing outdoor washing machine facility and basic click and collect facility exists within the rear car parking facility to the east (rear) Tesco car park.

### **Proposal:**

- (i) **Retention permission** for 'Click and Collect' signage in the existing Tesco car park; and
- (ii) **Permission** for the construction of a sheltered canopy (c50sq.m) in the existing car park for the purpose of providing 2 dedicated 'Click and Collect' spaces for the existing Tesco store and all associated site development works.

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### **Zoning:**

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

### **Consultations:**

*Surface Water* -

Additional Information requested.

*Irish Water* -

Additional Information requested.

*Roads Section* -

No Objection.

TII -

No comments received.

*Strategic Environmental Assessment* -

No overlap indicated.

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

None

### **Relevant Planning History**

SD18A/0067: Unit 14, Tesco Shopping Centre, Hillcrest, Lucan, Co. Dublin.

Proposal: Change of use from hairdressing salon to coffee shop and to alter existing shop front.

Decision: permission granted subject to conditions.

SD15A/0300; Unit 13, Tesco Shopping Centre, Lucan, Co. Dublin

Proposal; Extend shop front.

Decision: permission granted subject to conditions

ED13/0037 - Tesco Shopping Centre, Hillcrest, Lucan, Co. Dublin.

Proposal: Placing an 8sq.m portable pay-to-use waste compactor in Tesco car park.

Decision: Declared Exempt

SD13A/0090: Lucan Shopping Centre, Hillcrest Estate, Lucan, Co. Dublin.

Proposal; The re-cladding of the northwest, northeast and southwest elevations to include a larch coloured timber cladding; changes to the existing canopy on the northwest, northeast and southwest elevations to include the removal of the pitched roof and replacement with a flat-roofed structure; a new Failte sign located on the northwest elevation (c. 1.3m x c. 4.1m); removal of existing sign on the northwest elevation to be replaced by a new individually mounted lettering illuminated sign (c. 1m x c. 3.77m) located c. 12m to the west; replacement of the existing signage on the southwest elevation with individually mounted lettering illuminated sign (c. 1m x c. 3.77m) and all associated site development works and site services.

Decision; permission granted subject to conditions

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SD12A/0109; Unit 3, Lucan Shopping Centre, Hillcrest Estate, Lucan, Co. Dublin  
Proposal; Change of use of retail unit to a food take-away restaurant with ancillary seating.  
Decision; permission refused

SD08A/0558; Unit 13, Krystal Dry Cleaners, Tesco Shopping Centre, Lucan, Co. Dublin  
Proposal; Change of use of existing retail unit & subdivision into three separate retail units or uses for the provision of services provided principally to visiting members of the Public but excluding use of a betting office.  
Decision; permission granted subject to conditions

SD03A/0419; Unit 2, Tesco Shopping Centre, Dodsboro Road, Lucan, Co. Dublin  
Proposal; Change of use from existing restaurant and takeaway to use for preparation of pizzas for home delivery with ancillary customer collection, alterations to existing shop front and new signage.  
Decision; permission granted subject to conditions

SD02A/0453; Tesco Store, Hillcrest Estate, Lucan, Co. Dublin.  
Proposal; 224sq.m open goods off-loading canopy (5.900m overall height) within the existing service yard to the rear.  
Decision; permission granted subject to conditions

S99A/0914; Unit no. 2, Lucan Shopping Centre, Lucan, Co. Dublin.  
Proposal; Change of use from a shop to a restaurant, small modifications to the rear elevation and new signage.  
Decision; permission granted subject to conditions

S99A/0199; Between Cherry Lawns/Hillcrest Drive and Lucan Shopping Centre carpark at , Hillcrest Estate, Tandy's Land, Lucan, Co. Dublin.  
Proposal; Demolition of existing boundary wall to be replaced by 2 metres high railings.  
Decision; permission granted subject to conditions

### **Relevant Enforcement History**

None

### **Pre-Planning Consultation**

None

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

*Section 1.13.0 Retail Strategy*

*Section 4.2.0 Strategic Policy For Employment*

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*Chapter 4 Economic Development & Tourism*

*Section 4.2.0 Strategic Policy For Employment*

*Policy ET1 Economic and Tourism Overarching Policies and Objectives*

*Policy ET2 Enterprise and/or Residential Led Development in Regeneration Zones*

*Policy ET3 Enterprise and Employment (EE)*

*Chapter 5 Urban Centres & Retailing*

*Policy UC1 Urban Centres Overarching*

*Policy UC2 Town Centres*

*Policy UC3 Village Centres*

*Policy UC4 District Centres*

*Policy UC5 Local Centres*

*Policy UC6 Building Heights in Urban Centres*

*Section 5.2.0 Retailing*

*Section 5.2.1 Strategic Guidance*

*Section 5.2.2 Retail Hierarchy*

*Table 5.1 South Dublin County Retail Hierarchy*

*Table 5.2 Settlement Hierarchy and Retail Hierarchy*

*Section 5.3.0 Additional Retail Floorspace*

*Policy R1 Overarching*

*Section 5.4.0 Sequential Approach*

*Policy R2 Sequential Approach*

*Section 5.5.0 Core Retail Areas*

*Section 5.6.0 Retail Centres*

*Policy R3 Tallaght Town Centre*

*Policy R4 Liffey Valley Major Retail Centre*

*Policy R5 Clondalkin Town Centre*

*Policy R6 District Centres*

*Policy R7 Village Centres*

*Policy R8 Local Centres*

*Section 5.7.0 Retail Warehousing & Retail Parks*

*Policy R9 Retail Warehousing*

*Section 6.4.4 Car Parking*

*Policy TM7 Car Parking*

*Section 7.1.0 Water Supply & Wastewater*

*Policy IE1 Water & Wastewater*

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*Section 7.2.0 Surface Water & Groundwater*

*Policy IE2 Surface Water & Groundwater*

*Section 7.3.0 Flood Risk Management*

*Policy IE3 Flood Risk*

*Section 7.5.1 Waste and Resource Policy and Legislation*

*Policy IE5 Waste Management*

*Section 9.3.1 Natura 2000 Sites*

*Policy HCL12 Natura 2000 Sites*

*Section 10.0 Energy*

*Policy E3 Energy Performance in Existing Buildings*

*Policy E4 Energy Performance in New Buildings*

*Table 11.18: Key Principles for Development within Enterprise and Employment Zones*

*Section 11.2.1 Design Statements*

*Section 11.2.3 Town And Village Centres*

*Section 11.2.4 Regeneration Zone*

*Section 11.2.5 Enterprise and Employment Areas*

*Section 11.2.7 Building Height*

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

*Table 11.19: Signage – Types of Signs, Restrictions on Use and Design Criteria*

**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*

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*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 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.*

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

### ***Advertisements and Advertisement Structures***

- *Any work, letter, model, balloon, inflatable structure, kite, poster, notice, device or representation employed for the purpose of advertisement, announcement, or direction, and any structure such as a hoarding, scaffold, framework, pole, standard, device or sign (whether illuminated or not) and which is used or intended for use for exhibiting advertisements, or any attachment to a building or structure used for advertising purposes.*

*Section 11.2.9 Shopfront Design*

*Section 11.3.6 Retail Development*

*(i) Retail Criteria*

*(ii) Restrictions on Uses*

*(iii) Fast Food/Takeaway Outlets*

*(iv) Motor Fuel Stations*

*(v) Retail Warehousing*

*Section 11.4.1 Bicycle Parking Standards*

*Table 11.22: Minimum Bicycle Parking Rates*

*Section 11.4.2 Car Parking Standards*

*Table 11.23: Maximum Parking Rates (Non Residential)*

*Section 11.4.4 Car Parking Design and Layout*

*Section 11.4.6 Travel Plans*

*Section 11.6.1 (i) Flood Risk Assessment*

*Section 11.6.1 (ii) Surface Water*

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

*Section 11.6.1 (iv) Groundwater*

*Section 11.6.1 (v) Rainwater Harvesting*

*Section 11.6.1 (vi) Water Services*

*Section 11.6.3 Environmental Hazard Management*

*Section 11.6.3 (i) Air Quality*

*Section 11.6.3 (ii) Noise*

*Section 11.6.3 (iii) Lighting*

*Section 11.6.4 Major Accidents – Seveso Sites*

*Section 11.6.5 Waste Management*

*Section 11.7.2 Energy Performance In New Buildings*

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*Section 11.8.1 Environmental Impact Assessment*

*Section 11.8.2 Appropriate Assessment*

### **Relevant Government Guidelines**

*Retail Strategy for the Greater Dublin Area 2008-2016, Dublin & Mid East Regional Authorities 2008*

*Retail Planning Guidelines, Department of the Environment, Community & Local Government 2012*

- Retail Planning Guidelines (April 2012)
- Retail Design Manual (April 2012)

*Regional Planning Guidelines for the Greater Dublin Area 2010-2022*

### **Assessment**

The main issues for assessment relate to Zoning and Council policy, visual impact, Roads, services, and drainage.

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

The site is located in an area which is zoned 'LC' - 'To protect, improve and provide for the future development of Local Centres'. The use of signage associated with an existing commercial business is considered acceptable, subject to an assessment in terms of Council policy and visual impact.

The principle of the proposed addition of a 'Canopy' to an established shopping centre is acceptable at this location. The suitability of the site for the proposal will be determined with regard to compliance with the relevant policies, standards and requirements of the current South Dublin County Council Development Plan.

It is the policy of the Council to promote appropriate sustainable development of existing built-up areas in order to retain population levels and delivery of local services. The proposed development would be consistent with the policies and objectives of the current South Dublin County Council Development Plan 2016-2022 and would comply with section 11.3.6 Retail Development

### ***Planning Note:***

Under Planning reference SD20A/0165: Tesco, Liffey Valley, Clondalkin, Dublin 22.

**SDCC Granted Permission** for (i) Construction of a sheltered canopy (c.55sq.m) in the existing car park for the purpose of providing 2 dedicated 'Click and Collect' spaces for the existing Tesco store and (ii) ancillary signage and all associated site development works.



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### *Design and Visual Amenity*

#### Retention permission for 'Click and Collect' signage in the existing Tesco car park

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

It is noted that the existing eastern elevation façade located in the east (rear) Tesco car park has no branding applied at this location. The proposal for retention would not give rise to visual clutter.

The three freestanding signs that align and direct the car parking route for retention are as follows:

- Sign one: is (2m x 0.8m) and 2.8m in height with the logos 'click and collect'.
- Sign two: is (2m x 0.8m) and 2.8m in height with the logos 'Pick up here'
- Sign three: is (2m x 0.8m) and 1.4m in height with both the above logos.
- Noted the rear of the above signs contain a direction with *arrow sign*.

Following Variation 5 of the County Development Plan, signage is assessed having regard to the criteria set out in Section 11.2.8 of the Development Plan and the South Dublin County Council Outdoor Advertising Strategy (2019). The signage for retention is considered to be relevant, appropriately located, simple in design, proportionate in scale, unobstructive, and therefore acceptable subject to the Outdoor Advertising Strategy.

In the event of a grant of Retention Permission it is considered appropriate to attach a **condition** prohibiting the installation of any further signage.

#### Permission for the construction of a sheltered canopy in the existing car park

The proposed canopy structure would measure 50sq.m (6.7 x 7m) with a maximum height of 6.0m and is proposed to be located in the east (rear) Tesco car park. The structure will comprise a steel frame with PVC fabric covering steel frame trusses. The canopy will accommodate two parking bays for click and collect vehicles.

The application states that the proposed facility will provide a safe and dedicated area within the rear Tesco car park for customers to collect their online shopping order at a predetermined collection timeslot, thus reducing the requirement of customers to enter the store.

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The proposed signage will be erected on the front and side elevation of the canopy comprising 300mm signage with vinyl applied lettering. An additional sign measuring 1.6m x 0.2m will be attached to the steel support column and will protrude from the side elevation.

The click and collect facilities are considered to be visually acceptable.

### ***Residential Amenity***

Given the established use of the site as a retail centre coupled with the fact that this area of the site is currently used to park cars for patrons of the shopping centre, it is not considered that the proposed Click and Collect facility would be more harmful than the existing situation. The closest residential properties are located to the southeast of the site at Hillcrest Drive. The (N4) Lucan By-Pass motorway runs between the subject site and the existing residential properties to the east Ardeevin Avenue, Lucan. The proposed development is considered acceptable to the provisions of the exiting SDCC County Development Plan 2016-2022 and therefore a grant of permission is recommended.

### ***Access and Parking***

It is noted that the structure does not interfere with customer vehicle access to the car parking bays. An outdoor washing facility already exists within the car park at this location.

A report received from the Roads Department notes no objection to the proposed development.

### ***Services & Drainage***

Regarding surface water drainage and flood risk, standard conditions apply, and the Water Services Report also requests Additional Information on the following:

The applicant is required to submit a drawing showing the distance between foundation of proposed signs and any adjacent surface water sewers.

Notwithstanding the recommendation of the Water Services, it is deemed that prior to the commencement of development, the applicant/developer will be requested to submit the above requirements in full for the written agreement of the Planning Authority by **condition**.

Irish Water states standard conditions apply and requests Additional Information on the following:

- 1.1 Submit a drawing showing the distance of sign foundation to adjacent watermain. The setback distance shall comply with Irish Water Standards. Alternatively submit a letter from Irish Water (Confirmation of Feasibility) to the planning authority with respect to proposed development.

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1.2 Submit a drawing showing the distance of sign foundation to any adjacent foul sewer. - All development shall be carried out in compliance with Irish Water Standards codes and practices

The above can be requested by **conditions** prior to commencement. This is considered appropriate.

### ***Screening for Appropriate Assessment***

The subject site is not located within nor within close proximity to a European site. The proposed development (for permission and retention), is located within an established residential area and comprises of an attic conversion, dormer window and change of roof profile.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development (for permission and retention), would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

### ***Environmental Impact Assessment***

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

### **Other Considerations**

#### ***Development Contributions***

The proposed development relates to:

- **Retention permission** for 'Click and Collect' signage in the existing Tesco car park; and
- **Permission** for the construction of a sheltered canopy (c50sq.m) in the existing car park.

Development Contributions are not applicable.

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### **SEA Monitoring Information**

- *Land Type-* Brownfield/Urban Consolidation
- *Site Area (Ha.)* - 0.0112 ha

### **Conclusion**

Having regard to the zoning objective 'LC' - '*To protect, improve and provide for the future development of Local Centres*' it is considered that subject to the conditions set out below, the proposed development (for permission and retention), would not significantly detract from the character of the surrounding area, would be in accordance with the current South Dublin County Council Development Plan. As such, the proposed development (for permission and retention), would 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 & Grant Retention 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 in accordance with submitted plans and details.
  - (i)The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application.
  - (ii)The development shall be retained and completed fully in accordance with plans, particulars and specifications lodged with the application, 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.

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### **2. Surface Water.**

(A) Prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

(i) A drawing showing the separation distance between foundation of proposed signs and any adjacent surface water sewers.

(B) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

(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, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water.

### **3. Irish Water.**

Prior to the commencement of development, the applicant/developer shall submit the following to the Planning Authority:

(i) A drawing showing the separation distance of the proposed sign foundations from any adjacent watermain or associated infrastructure. The setback distance shall comply with Irish Water Standards. Alternatively submit a letter from Irish Water (Confirmation of Feasibility) to the planning authority with respect to proposed development.

(ii) A drawing showing the distance of sign foundation to any adjacent foul sewer.

Note: All development shall be carried out in compliance with Irish Water Standards codes and practices.

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.

### **4. Use of Canopy Structure.**

The canopy structure shall be used solely for purposes detailed in the documentation submitted to Planning Authority with this application and shall not be used for the carrying out of any other trade or for any commercial or industrial purposes at any time.

REASON: In the interests of clarification and in the interests of public health.

### **5. 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.

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### 6. 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-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.

### 7. 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

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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.

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 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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**REG. REF. SD22A/0072**

**LOCATION: Tesco, Hillcrest Shopping Centre, Hillcrest Walk, Hillcrest, Lucan, 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 & Grant Retention 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:**

28/4/22

*Eoin Burke*  
**Eoin Burke, Senior Planner**