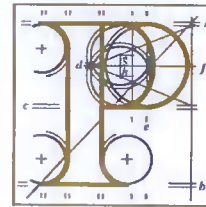


Our Case Number: ABP-313136-22

Planning Authority Reference Number: SD21A/0161



**An
Bord
Pleanála**

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24

Date: 06 May 2022

Re: Two-storey commercial building providing two units and ancillary accommodation, all associated site works.
Lucan Shopping Centre, Newcastle Road, Co. Dublin.

Dear Sir / Madam,

I have been asked by the Board to refer to your submission dated 25th April, 2022 in reply to the Board's letter to you dated 29th March, 2022.

Your reply to the appeal was received on 26th April, 2022 by email outside the appropriate period of 4 weeks beginning on the day on which a copy of the appeal was sent by the Board as provided for in section 129(2)(a) of the Planning and Development Act, 2000, (as amended).

Your submission is herewith returned.

Yours faithfully,

Mary Tucker
Executive Officer
Direct Line: 01-8737132

BP22

Land Use Planning & Transportation

05 MAY 2022

South Dublin County Council

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

M. Tucker

Jennifer Carleton

From: Bord
Sent: Tuesday 26 April 2022 08:47
To: Appeals2
Subject: FW: SD21A/0161 ABP-313136-22
Attachments: ABP-313136-22 (SD21A 0161).docx

From: Michelle Dodrill <mdodrill@SDUBLINCOCO.ie>
Sent: Tuesday 26 April 2022 08:37
To: Bord <bord@pleanala.ie>
Cc: Mary Tucker <M.Tucker@pleanala.ie>; Janice O'Toole <jotoole@SDUBLINCOCO.ie>
Subject: SD21A/0161 ABP-313136-22

Dear Sir/Madam

Please see attached reply re above

Kindest Regards
Michelle



The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. If you have received this electronic message in error, please notify the sender or info@sdblincoco.ie. This message has been swept by Anti-Virus software.

Is eolas faoi rún an t-eolas atá sa ríomhphost seo agus d'fhéadfadh go mbeadh sé faoi phribhléid ó thaobh an dlí de. Is don té ar seoladh chuige/chuici agus dósan/dise amháin an t-eolas. Ní ceadmhach do dhuine ar bith eile rochtain a bheith aige/aici ar an ríomhphost seo. Murar duit an ríomhphost seo tá nochtadh, cóipeáil, dáileadh ná aon ghníomh eile a dhéanamh nó aon ghníomh eile a fhágáil gan déanamh ar iontaoibh an ríomhphoist seo toirmisceithe ort agus d'fhéadfadh siad sin a bheith neamhdhleathach. Má fuair tú an teachtaireacht leictreonach seo trí earráid téigh i dteagmháil, le do thoil, leis an té a sheol í nó le info@sdblincoco.ie. Glanadh an teachtaireacht seo le bogearraí Frithvíreas.



An Rannóg Talamhúsáide, Pleanála agus Iompair
Land Use, Planning & Transportation Department
Telephone: 01 4149000 Fax: 01 4149104

Email: Planningdept@sdublincoco.ie

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.

Objection 4 Damage to local wildlife / trees

Response:

The application and submitted Addition Information was reviewed by the Realm / Parks Department and no objection are raised to this element of the development subject to the imposing of conditions

Objection 5 Pedestrian linkage and **Objection 6 Anti-social behaviour**

Response:

The Planning Authority has carefully considered this issue as part of the assessment of the proposed and sought revision to the proposed link on this basis. It is considered that the development as proposed is acceptable in this regard.

Objection 7 Light Pollution

Response:

As set out in the Planning Authority report issues in relation to light pollution can be address by way of the Planning Condition

Objection 8 Delivery times (service yard)

Response:

Under Condition 9 of the Notification to Grant Permission the number of delivers is limited to a maximum of two deliveries per day. It is not considered that the assocaited level of noise and disturbane would be unaccpetable in this regard.

Objection 9 Potential use of buildings.

Condition 8 of the required that the details of the exact use of Unit 2 be agreed in writing with Planning Authority.

Objection 11 Devalue of property prices within Hillcrest.

Response:

The Planning Authority does not consider that that proposed development would negatively impact on the value of property within the surrounding area.

Yours faithfully

M. Dodrill

M. Dodrill
For Senior Planner

