

Comhairle Chontae Atha Cliath Theas

PR/0757/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0120 **Application Date:** 22-Apr-2022
Submission Type: New Application **Registration Date:** 22-Apr-2022

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

Proposed Development: Retention for Click and Collect signage in the existing Tesco car park; construction of a sheltered canopy (c. 35sq.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, Clondalkin Shopping Centre, Convent Road, Clondalkin, Dublin 22

Applicant Name: Tesco Ireland Limited

Application Type: Permission and Retention

(EW)

Description of Site and Surroundings:

Site visit: 13/06/2022

Site Area: stated as 0.0048 ha

Site Description:

The application site consists of the Clondalkin Shopping Centre and surface car park that is located (front facing) on the eastern side of Convent Road, just south of Clondalkin town centre. The surrounding area is mixed in nature with commercial properties located to the north in the town centre and residential properties located to the west, east and south.

Proposal:

- (i) **Retention permission** for 'Click and Collect' signage in the existing Tesco car park; and
- (i) **Permission** for the construction of a sheltered canopy (c35sq.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.

Zoning:

The site is zoned Objective TC – 'To protect, improve and provide for the future development of Town Centres.'

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Consultations:

<i>Surface Water -</i>	No Objection.
<i>Irish Water –</i>	No Objection.
Conservation Officer-	No Objection.
<i>Roads Section –</i>	No Objection.
TII –	No Objection or comments.
<i>Strategic Environmental Assessment –</i>	Overlap indicated as follows:
	<ul style="list-style-type: none">• Record Of Monuments and Places 2016• Areas Of Archaeological Potential 2016

Submissions/Observations /Representations

None

Relevant Planning History

SD20A/0197 - Replacement of 1 existing sign on the front elevation with individually mounted internally illuminated letters (sign A: 1855mm x 7250mm), the provision of a new signage panel (sign B: 1200mm x 6355mm); and the provision of a new fascia sign (sign C: 370mm x 4235mm) at the shared entrance/exit; the removal of the existing entrance lobby and reconfiguration of the existing exit lobby to provide for an enlarged internal entrance/exit; other minor elevational changes including the provision a new cladding treatment to the exiting parapet wall and a new glazed MOE door and all ancillary site services and site development works.

Conditions:

1. 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.

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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

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

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*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
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)

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11.2.8 Signage – Advertising, Corporate and Public Information

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

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

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

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- *Careful consideration should be given to the materials used in the construction of a sign and the methods used to light it. The illumination of signs and advertising structures should have regard to the SDCC Outdoor Advertising Strategy (2019).*

Applications for advertising structures will be considered having regard to the South Dublin County Council Outdoor Advertising Strategy (2019).

- *To consider appropriately designed and located advertising structures primarily with reference to the zoning objectives and permitted advertising uses and with secondary consideration of the SDCC Outdoor Advertising Strategy (2019). In all such cases, the structures must be of high-quality design and materials, and must not obstruct or endanger road users or pedestrians, nor impede free pedestrian movement and accessibility of the footpath or roadway.*
- *All signage within the traditional historical villages of the County must be respectful and enhance the historical context of the Architectural environment of these villages.*

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

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*
- (i) *Restrictions on Uses*
- (ii) *Fast Food/Takeaway Outlets*
- (iii) *Motor Fuel Stations*
- (iv) *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

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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

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 application site is located within lands zoned 'TC' - 'To protect, improve and provide for the future development of Town 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

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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 SD22A/0072: Tesco, Hillcrest Shopping Centre, Hillcrest Walk, Hillcrest, Lucan, Dublin **Permission Granted** for (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.

Under Planning reference SD20A/0165: Tesco, Liffey Valley, Clondalkin, Dublin 22. SDCC **Permission Granted** 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.

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 west facing (front) elevation is located within the Clondalkin Shopping Centre with a surface car park located on the eastern side facing Convent Road, just south of Clondalkin town centre. The front Tesco façade facing the car park has one large branding sign above the main building. In addition, several photographic images are applied to the main superstore windows with minor logo branding signage applied at the top right-hand corner of each image. In this instant the proposal for retention is not deemed to give rise to visual clutter.

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

- Sign one: is (1m x 1.4m) and 1.7m in height with the logos '*click and collect*'. '*Pick up here*'
- Sign two: is (1m x 1.4m) and 1.7m in height with the logos '*click and collect*'. '*Pick up here*'
- Noted the click and collect road marking for Bay 1 and Bay 2 (6.7m x 4.8m).

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 (c35sq.m) (7.2m x 4.9m) with a maximum height of 4.9m and is proposed to be located in the west facing (front) elevation 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 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.

The proposed signage '*click and collect*' will be erected on the front and side elevation of the canopy (4.8m x 0.8m) comprising 250mm signage with vinyl applied lettering.

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

Residential Amenity

Given the established use of the site as a local retail centre coupled with the fact that this area of the site is currently used for parking 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 entrance of Moyle Park College is located adjacent to the local retail centre. The closest residential properties are located south of the site at Boot Road and Moyle Crescent. Tower Road is located to the North of the site. However, it is not deemed that the proposed development would negatively impact the ACA further north of the site. The proposed development is

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considered acceptable to the provisions of the exiting SDCC County Development Plan 2016-2022

Architectural Conservation Officer

The Area is noted to be near the Tower Road within an ACA and overlap with the following:

- Record Of Monuments and Places 2016
- Areas Of Archaeological Potential 2016

The report from the Architectural Conservation Officer states the following:

This is an application for retention of 'Click & Collect' signage and for a new canopy to be provided at designated click & collect parking bays. The subject site is located within an Architectural Conservation Area – Clondalkin Village. The proposed new signage is in addition to the existing Tesco store signage and is required to provide click & collect services.

It is considered that the new proposed signage, canopy, and designated bays are within the existing shopping centre area and will not cause any major visual impacts. Therefore, it is considered that the proposed development does not impact or materially affect the character of the Architectural Conservation Area.

The comments from Conservation Officer are noted, coinciding with the minimal impact on residential amenity and the pattern of development with previously granted *click and collect facilities*, 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. A report received from the Roads Department notes no objection to the proposed development.

Services & Drainage

Regarding surface water drainage / flood risk and Irish Water, standard conditions apply. The above can be requested by **conditions**.

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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 (c35sq.m) in the existing car park.

Development Contributions are not applicable.

SEA Monitoring Information

- *Land Type*- Brownfield/Urban Consolidation
- *Site Area (Ha.)* - 0.0048 ha

Conclusion

Having regard to the zoning objective 'TC – 'To protect, improve and provide for the future development of Town 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

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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.
2. Surface Water.
 - (a) The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.
 - (b) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the 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. (i) 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.

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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.

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

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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 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.

8. Signage.

No additional advertising signs or structures, other than those approved as part of the this application, shall be erected without the prior approval of the Planning Authority .

REASON: In the interest of visual amenity, compliance with development plan policies and the proper planning and sustainable development of the area.

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/0120

LOCATION: Tesco, Clondalkin Shopping Centre, Convent Road, Clondalkin, Dublin 22

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:

16/6/22



Eoin Burke, Senior Planner