





Planning Department
South Dublin County Council
County Hall Tallaght
Dublin 24

1 July 2022

Re: Planning Application for Amendments to SHD Reg. ABP-305556-19

Permitted Development: 290 no. apartments, creche and associated site works at the City West Shopping Centre, Fortunestown, Dublin 24.

Proposed Amendments: Roof Level Plant on all Blocks, a standalone ESB substation, 1 no. relocated car parking space, and the reconfiguration of the ground floor of Block E to provide an enlarged plant room including an ESB substation.

Dear Sir/Madam,

This letter accompanies a planning application on behalf of Ardstone Homes Ltd. for amendments to the Strategic Housing Development (SHD) permitted under ABP Ref. 305556-19 comprising 290 no. apartment and a creche in 5 no. buildings at the City West Shopping Centre, Fortunestown, Dublin 24.

In brief, the proposed amendments comprise the provision of photovoltaic panels and necessary plant on the roofs of Blocks A, B, C, D, E and F, the provision a standalone ESB substation, the relocation of 1 no. car parking space, and the reconfiguration of the ground floor of Block E to provide an enlarged plant room.

The letter is structured to provide an overview of the site location and context; a description of the proposed amendment; the planning history of the site; the planning policy context including relevant policies and objectives; and a list of documents provided.

Documents Submitted:

The following documents are submitted with this planning application:

- Architectural Drawings, Cover Letter and Area Schedule prepared by McCauley Daye O'Connell
- Engineering Drawings and Memo prepared by Ethos Engineers.
- Landscaping Plans prepared by Cameo & Partners
- Appropriate Assessment Screening Report prepared by Openfield
- Photomontages prepared by 3D Design Bureau
- Completed Application Form
- Copy of Newspaper notice published in the Irish Daily Star 01 July 2022
- Copy of Site Notices erected on 1 July 2022
- Fee of €1,740

Directors:
Declan Brassil &
Sharon Gorman

Reg No.:
329512

1 Pre-Application Consultation

Pre-Application consultation as required under S. 247 of the Planning and Development Act 2000, as amended, was held with South Dublin County Council on 4 March 2022.

The attendees at the meeting included the following representatives on behalf of South Dublin County Council: Padhraic McGillycuddy, Eoin Burke, John Hegarty, Ronan Toft, Graham Murphy, Jim Johnston, and Colm Maguire. The following representatives attended on behalf of the Applicant: David O'Connell, Declan Brassil, Michael Gallagher, and James O'Sullivan.

At that meeting, the representatives of the Planning Authority confirmed, in accordance with Section 247(7) of the Act, that no further consultation was required under that section in relation to the proposed amendments to SHD Reg. ABP-305556-19.

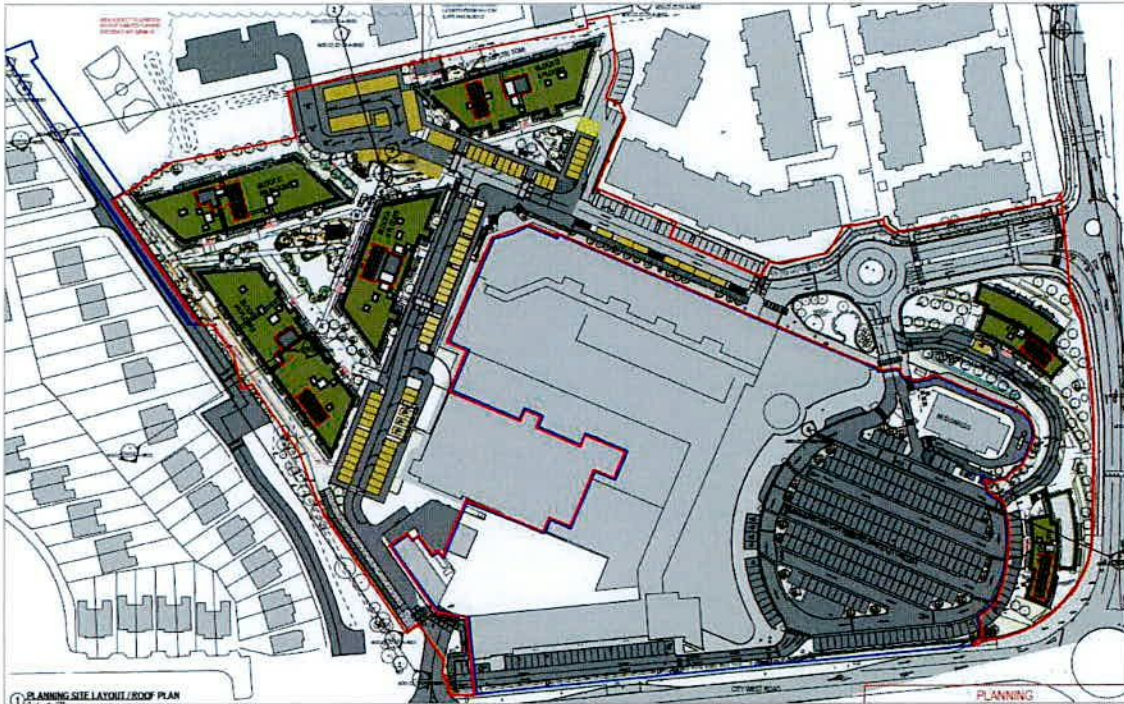
2 Site Location & Context

The residential development permitted under ABP Ref. 305556-19 has a site area of c. 2.9 ha. As is shown in Site Layout Plan prepared by McCauley Daye O'Connell Architects Ltd. (MDO) there are amendments proposed to each of the 6 no. permitted blocks to provide the necessary infrastructure and utilities to serve the permitted scheme.

The Citywest Shopping Centre is located in an urban area that is the subject of ongoing residential and commercial development. Citywest Shopping Centre is located on the junction of the N82 and City West Drive, proximate to the Fortunestown Luas stop and several bus stops. The site is located to the west of the Magna Business Park and to the south of the Citywest Business Campus. To the north of the Citywest Shopping Centre is the mixed use SHD permission ABP-310570-21, and to the east is the residential development permitted under SHD Ref. ABP-306602-20.

Figure 2.1 Site Location and Context (source: google maps)



Figure 2.2 Excerpt from Site Layout Drawing Prepared by MDO.

3 Proposed Amendments

The proposed amendments comprise the provision of photovoltaic panels on the roofs of all 6 no. blocks, the provision of roof plant at Blocks A, B, C and D, the provision of an ESB substation at Block D that requires the relocation of no. 1 carparking space, and the reconfiguration of the ground floor of Block E to provide an enlarged plant room. These amendments are necessary to service the permitted blocks, improve the energy efficiency of the development, and to meet the requirements of ESB to serve the site.

The proposed amendments are described in detail below:

- At Block A it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows; and a screen plant area accommodating an internal plant room of 13.24 sqm and an external plant area of 34.72 sqm surrounded. The proposed screened plant rises approx. 1 metre above the permitted lift overruns.
- At Block B it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows on the 5-storey section of the permitted building; a red brick internal plant room of 10.3 sqm on the 4-storey section of the building; and a screened external plant area of 29.2 sqm on the 4-storey section of the building. The proposed roof plant rises approx. 1 metre above the permitted lift over run.
- At Block C it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows on the 6-storey section of the permitted building; a red brick internal plant room of 10.3 sqm on the 5-storey section of the building; and a screened plant area of 32 sqm on the 5-storey section of the building. The proposed roof plant rises approx. 1 metre above the permitted lift over run.

- At Block D it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows; a screened with an internal plant room of 13.5 sqm and an external plant area of 24.33 sqm; a c. 3-metre-high red brick ESB substation with LV switchroom to the southwest of the Block D, and the ancillary relocation of 1 no. car parking space. The proposed screened plant rises approx. 2 metre above the permitted parapet level.
- At Block E it is proposed to provide the following; 18 no. photovoltaic panels arranged in 3 no. rows; and the reconfiguration of the ground floor to replace 1 no permitted retail unit with an enlarged Plant Room (117.15 sqm), ESB substation (13.6 sqm), a Generator Room (21.82 sqm), and a Low Voltage (LV) switchroom (13.71 sqm). These works require the removal of existing windows and doors at the permitted retail unit.
- At Block F it is proposed to provide 18 no. photovoltaic panels arranged in 2 no. rows.

3.1 Rationale for Proposed Amendments

The proposed amendments have been identified at the detailed design stage as required to service the permitted residential development as sustainably and effectively as possible, and to ensure the practicality and functionality of the completed scheme.

The proposed substations are required by ESB to service the scheme. A standalone substation is provided adjoining Block D, which requires the relocation of 1 no. car parking space. Due to the location and visual prominence of Block E it is not desirable to provide a standalone ESB substation at this location. It is therefore proposed to accommodate the necessary substation and plant within the envelope of the permitted buildings, resulting in the loss of 1 no. retail unit (76.4 sqm).

It is proposed to install photovoltaic panels on the roof of each building, which will contribute towards the energy used by building services and communal areas.

The proposed roof plant accommodates water tanks and internal booster pumps and control panels. The water tanks are required to provide water storage for each building. The permitted scheme had 1no. central water storage plantroom to serve all Blocks however, the distance between the plantroom and the Blocks A, B, C and D was significant (in excess of 180 metres). To avoid potential issues regarding stagnant water resting in the long pipe, it is proposed to provide individual water storage tanks for each building.

The proposed booster pump sets are required to provide sufficient water outlet pressure at the furthest water appliance in each building. The control panel is required to monitor the water services system and identify any faults or alarms to the facilities management team.

3.2 Possible Effects on the Environment

The proposed amendments occur primarily within the footprint of the 6 no. buildings permitted under SHD Ref. ABP305556-19. An EIA Screening Statement and an Ecological Impact Statement were submitted with the SHD application and did not identify any likely significant impact on the environment arising from the permitted scheme.

The amendments comprise photovoltaic cells, plant rooms and ESB substations necessary for the operation of the permitted residential scheme therefore, will not result in the significant use of natural resources and will not produce waste material. The proposed amendments will not produce significant

emissions to air or water and will not increase the risk major accidents or natural disasters and are not themselves sensitive to same.

The proposed amendments have been screened for Appropriate Assessment by Openfield Ecological Services. This AA screening report concludes:

'This project has been screened for AA under the appropriate methodology. It has found that significant effects are not likely to arise, either individually or in combination with other plans or projects to the Natura 2000 network. This conclusion is based on best scientific knowledge'.

4 Planning History

The Citywest Shopping Centre site has been the subject of 18 no. planning permissions, 14 no. of which relate to the use and layout of the commercial and residential units at the shopping centre itself (including Reg. Refs: SD05A/0353, SD05A/0582, SD06A/0434, SD07A/0229, SD07A/0230, SD07A/0231, SD07A/0232, SD07A/0233, SD07A/0633, SD07A/0669, SD16A/0431, SD17A/0006, SD17A/0151, SD17A/0301)

Below is a summary of the planning permissions that relate to the wider subject site (Reg. Refs. SD03A/0857, SD14A/0108, SD18A/0220 and SHD Ref. ABP305556-19).

4.1 Reg. Ref. SD03A/0857, Appeal Ref. PL06S.208124: Parent Permission

South Dublin County Council granted planning permission on the 24 November 2004 to Place Property Ltd. subject to 24 no. conditions for development comprising; 380 no. residential units, community hall of 150 sqm, public house and restaurant of 862 sqm, 8 no. own door offices of 1,699 sqm with 30 car parking spaces, a crèche of 375 sqm, shopping centre with an anchor retail unit of 4,877 sqm with storage and staff facilities of 1,515 sqm 29 no. units of 3,284 sqm, 1st and 2nd floor medical offices and suites of 2,999 sqm, 273 surface level car parking spaces and 223 basement level spaces.

This permission relates to an area of 6.8 ha, and the Citywest Shopping Centre formed Block F of the 6 no. permitted blocks.

On the 14 January 2004 the planning authority requested Additional Information. The Response on the 4 May 2004 altered the layout of the development and inter alia reduced the number of residential units proposed from 389 to 378 and provided a three-storey element at the own door offices and above the entrance to the shopping centre. Unsolicited Further Information submitted on the 6 May 2004 contained updated details of the wayleave across the site and sections of Blocks A, B, C and E.

On the 2 July 2004 the planning authority made the decision to grant planning permission for the proposed development. The decision was appealed to An Bord Pleanála by a third party. This appeal was withdrawn on the 16 November 2004.

This parent planning permission has been the subject of 2 no. extension of duration of planning permission applications. The first application, **Reg. Ref. SD03A/0857/EP**, was lodged on the 2 April 2009 by Place Property Ltd. On the 27 May 2009 the planning authority extended the duration of this parent permission subject to 3 no. conditions, with condition 2 stating that the permission will expire on the 22nd November 2012. The second extension of duration application, **Reg. Ref. SD03A/0857/FEP**, was lodged on the 13 November 2012. Following the submission of Further Information on the 7 February 2013, in relation to the park and recreational facilities required under

condition 4, the planning authority granted the extension of duration of this permission until 23 November 2017.

4.2 SD14A/0108 (ABP Ref. PL06S.244369): 'Drive Thru' Restaurant

On the 8 June 2015, An Bord Pleanála upheld the Planning Authority's decision to grant planning permission to McDonald's Restaurant of Ireland Ltd for the provision of a two storey 'Drive Thru' McDonalds restaurant. This permitted development is located in the north of the site, where a two-storey pub/restaurant (862sq.m.) that was permitted under Reg. Ref. SD03A/0857.

4.3 SD18A/0220: Temporary Car Park

On 20 September 2018 South Dublin County Council granted temporary planning permission (3yrs) to OBSF(I) Ltd. for a 100-space car park to the south of the City West Shopping Centre. This permission expired September 2021.

4.4 ABP305556-19: SHD (Permission to be Amended)

On the 20 January 2020, An Bord Pleanála granted planning permission to OBSF Ltd. for a Strategic Housing Development comprising 290 apartment units and associated residential amenity facilities, a childcare facility, 4 retail units and 2 café/restaurant units, and ancillary car parking. The 6 no. permitted blocks comprise the following:

- Block A: six storeys in height comprising 26 number one-bed units, 20 number two-bed units and 11 number three-bed units with a resident amenity facility (circa 246 square metres) at ground floor level.
- Block B: four to five storeys in height comprising 31 number one-bed units, 26 number two-bed units and nine number three-bed units.
- Block C: five to six storeys in height comprising 12 number one-bed units, 38 number two-bed units and 11 number three-bed units.
- Block D: five storeys in height comprising seven number one-bed units, 31 number two-bed units and nine number three-bed units, with a childcare facility (circa 265 square metres) at ground floor level and ancillary outdoor play area (circa 385 square metres).
- Block E: six storeys in height comprising 10 number one-bed units and 20 number two-bed units with resident amenity facility (circa 93 square metres), three number retail units (circa 76.4 square metres, circa 54.3 square metres and circa 76.3 square metres) at ground floor level.
- Block F: five to seven storeys in height comprising 20 number one-bed units and nine number two-bed units with communal roof terrace accessed at fifth floor level of circa 200 square metres, and one number retail unit (circa 78 square metres) and two number café / restaurant units (circa 187.7 square metres and circa 18.1 square metres) at ground floor level.

5 Planning Policy Context – South Dublin County Development Plan

The site is located within the administrative area of South Dublin County Council and is therefore subject to the land use policies and objectives of the County Development Plan 2016-2022. Relevant policies and objectives are reviewed below in Section 5.1.

The Plan is currently under review therefore the Draft South Dublin County Development Plan 2022-2028 is assessed below in Section 5.2.

5.1 South Dublin County Council Development Plan 2016-2022

The South Dublin County Council Development Plan 2016 -2022 came into effect 12 June 2016 and has been the subject of 5 no. variations since this time.

Under this current Plan the site is zoned DC *'To protect, improve and provide for the future development of District Centres'*. Under the Plan, the site does not form part of any protected area, conservation area or protected views.

The Plan does not contain specific policies regarding roof-top plant however, Section 11.7.5 does provide guidance in respect of solar energy proposals, as follows:

- *'Prioritise south facing aspects and have an inclination of between approximately 35 and 50 degrees, depending on the use of solar PV or solar thermal technologies,*
- *Be designed to take account of over-shadowing from other solar installations on site and from existing elements of the built environment such as chimneys, parapet, roof plant equipment, taller buildings and structures in the immediate vicinity,*
- *Ensure that the siting and design of proposals have regard to the visual amenities of the surrounding area, and*
- *Consider the provisions of the Water Framework Directive, Habitats Directive and other environmental and built heritage issues'.*

In accordance with these provisions, the proposed PV panels will be orientated in the southerly direction to maximise solar exposure. The panels are located on the taller roof elements to avoid overshadowing from other developments and are below the permitted parapet level to prevent visual impacts on adjoining land uses. The proposed amendments do not occur within or adjoining any protected area or structure, and therefore will not have a detrimental impact on natural or built heritage.

Figure 5.1 Excerpt from Sheet 8 of the South Dublin County Development Plan 2016-2022 with the subject site shown in red.

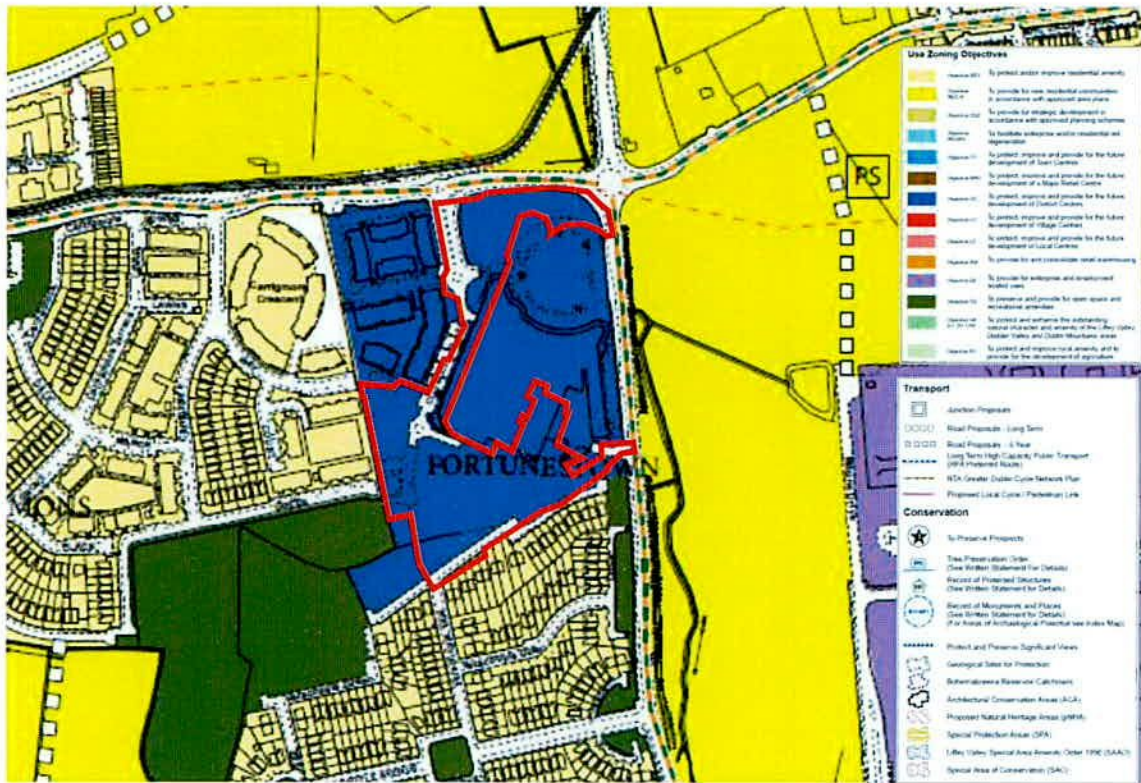
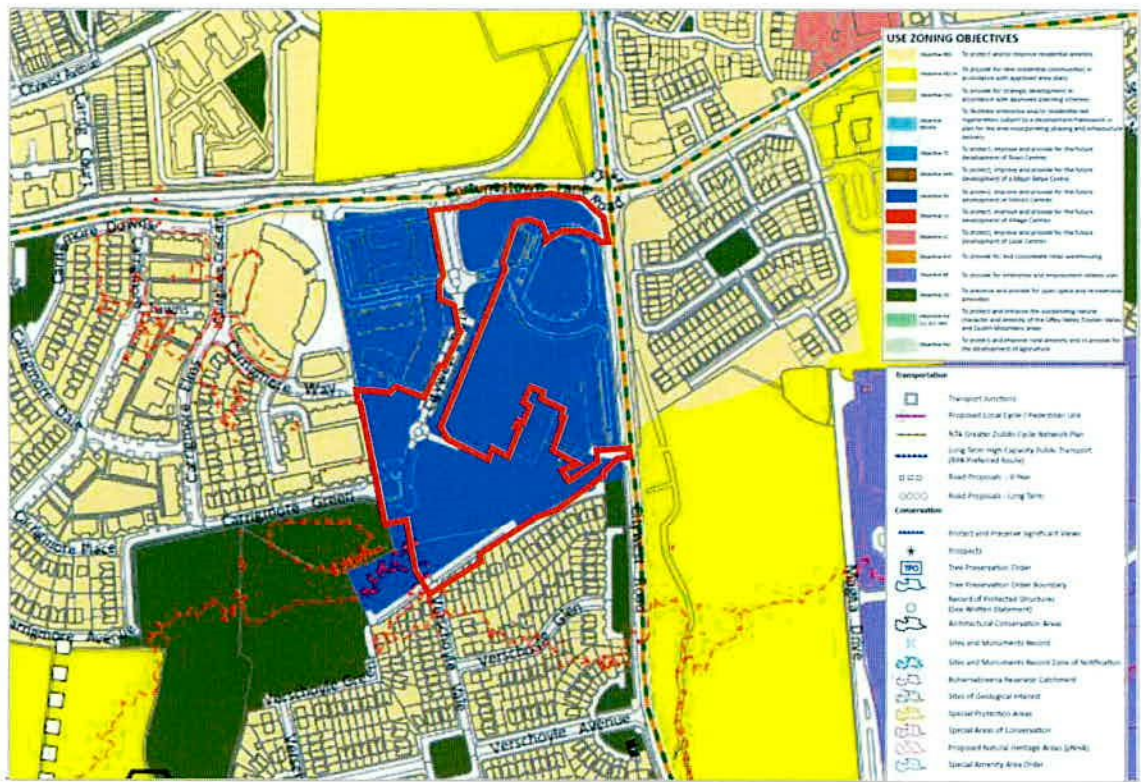


Figure 5.2 Excerpt from Sheet 8 of the Draft South Dublin County Development Plan 2022-2028 with the subject site shown in red.



5.2 Draft South Dublin County Development Plan 2022-2028

Material Alterations to the Draft South Dublin County Development Plan 2022-2028 Plan went on public display between 29 March and 26 April, and it is anticipated that the Plan will come into effect July 2022.

The site retains its DC zoning objective '*To protect, improve and provide for the future development of District Centres*', and the site does not form part of any protected area, conservation area or protected views.

The Draft Plan does not include any policies directly applicable to roof plant of the nature proposed. E7 Objective 1 is relevant to the proposed photovoltaic panels:

'To encourage and support the development of solar energy infrastructure for on-site energy use at appropriate locations in the County.'

The proposed amendments support this objective of the Draft Plan and will generate sustainable renewable energy for use within the permitted development. As per the provisions of Section 13.10.4 of the Draft Plan, the proposed PV panels are oriented to maximise solar exposure and will not be overshadowed by surrounding structures. The panels will sit below the parapet level of the permitted buildings and therefore will not impact upon the visual amenity of the area. Sufficient space is provided around the panels to allow access for installation and maintenance.

This application is made to amend the permitted residential scheme to ensure that all utilities work effectively and meet the requirements of service providers and future residents. The proposed amendments are designed to ensure safe and easy access for any future repairs, but also to blend into the permitted scheme.

I trust that the attached application documentation is in order, and I look forward to an expeditious and favourable decision.

Yours faithfully,



Declan Brassil
Declan Brassil & Co.

