

Comhairle Chontae Atha Cliath Theas

PR/1041/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0279 **Application Date:** 20-Jun-2022
Submission Type: New Application **Registration Date:** 20-Jun-2022

Correspondence Name and Address: David Lambe, Wherity Chartered Surveyors Ltd Unit 4, Block 4, City North Business Campus, Stamullen, Co. Meath, K32 KC65

Proposed Development: The development consists of the change of use of the ground floor unit from retails use to cafe/patisserie shop
including the sale of hot and cold beverages. The following works are proposed:
(1) Internal configuring of unit including fit out of unit to facilitate development with provision of serving counter,
store, W/C and seating area at ground floor level internally and externally
(2) Alterations to ground floor level facade including new glazed door and window, new awning to shopfront, new signage
and projecting signage to front facade.
(3) All associated site works and ancillary works at this address in accordance with plans as submitted

Location: Unit 132, Ground Floor, The Square Shopping Centre, Tallaght, Dublin 24

Applicant Name: Rixus Limited

Application Type: Permission

(NM)

Description of site and surroundings

Site Area: Stated as 0.0056ha

Site Visit: 5/8/2022

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Site Description

The application relates to a ground floor external retail unit in The Square Shopping Centre in Tallaght. The unit is located on Level 1, on the southern elevation of the eastern wing which fronts onto a playground and car parking areas.

The overall Square Shopping Centre consists of various retail outlets, including cafes, restaurants, delicatessens and fast-food outlets, all of which are dispersed throughout the shopping centre.

Proposal:

The development consists of

- the change of use of the ground floor unit from retail use to cafe/patisserie shop including the sale of hot and cold beverages.
- (1) Internal configuring of unit including fit out of unit to facilitate development with provision of serving counter, store, W/C and seating area at ground floor level internally and externally.
- (2) Alterations to ground floor level facade including new glazed door and window, new awning to shopfront, new signage and projecting signage to front facade.
- (3) All associated site works and ancillary works at this address in accordance with plans as submitted
- Total area of works 46sqm

Zoning

The site is subject to zoning objective 'TC' – 'To protect, improve and provide for the future development of Town Centres.'

Consultations

Water Services - No objection subject to standard conditions.

Irish Water – No objection subject to standard conditions.

Roads - No objection subject to condition.

Environmental Health Officer - No objection subject to conditions.

SEA Screening

No overlap indicated.

Submissions/Observations /Representations

None received.

Relevant Planning History

SD20A/0145 - Units 116, 117 and 118, The Square Shopping Centre, Tallaght, Dublin 24 – **Permission Granted** for subdivision of the existing retail department store (Unit 116 -

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5,396sq.m. - formerly Debenhams) to comprise 2 retail units - 116A (2,431sq.m) and 116B (2,270sq.m) and new service corridor (176sq.m) to the rear of the proposed unit 116B to provide access to the existing service yard; associated modifications including the removal of the existing mezzanine floor within Unit 116 (497sq.m); creation of new retail frontage within the internal mall and associated signage; revisions to existing retail Unit 117 (113sq.m) and 118 (102sq.m) to form a single amalgamated unit (169sq.m) and creation of additional mall floor space (47sq.m) arising from the unit reconfiguration; all associated site and development works including minor revisions to the layout of the existing service yard.

SD18A/0399 – The Square Shopping Centre, Tallaght, Dublin 24 - **Permission Granted** for internal modifications/reconfiguration to the mall area and reconfiguration of existing retail units and kiosks/concessions at Levels 1-3 of the existing shopping centre; revisions/modifications are as follows on a level by level basis; (1) Level 1, reconfiguration of the existing mall floor space and existing retail/kiosk units to provide a new kiosk zone (150sq.m); revisions to circulation areas involving the removal of stairs and escalator between Level 1 and Level 2 and provision of a new traveller between Level 1 and Level 2; (2) Level 2, reconfiguration of existing mall floor space and existing retail/kiosk units to provide a new kiosk zone (1073sq.m); revisions to circulation areas involving the removal of escalators between Level 2 and Level 3; (3) Level 3 formation of a new retail unit (38sq.m) and associated mall floor space (9sq.m) in the area created by the removal of the escalator between Levels 2 and 3; the kiosk zones on Level 1 and Level 2 will be flexible in terms of layout and all individual kiosks will be subject to design parameters set out in the Planning Report. The proposed use of any new kiosks within the kiosk zones will be shops (Class 1), professional/financial services (Class 2) and food and beverage uses (including any associated seating areas). There will be no net increase in floor area for the provision of food and beverage uses within the overall centre. The revisions/modifications proposed will result in an increase of c.106sq.m. of gross floor space within the overall shopping centre arising from the various changes to the mall circulation areas and creation of floor space in areas currently void. Permission is also sought for all associated site and development works.

SD16A/0063 - Unit 308, The Square Shopping Centre, Tallaght, Dublin, 24 -**ABP Granted Permission** - Change of use from permitted retail use to restaurant with ancillary takeaway use (floor area 415.6sq.m.) including all associated site works.

SD15A/0165: **Permission Granted** for change of use of retail use to restaurant with ancillary takeaway use (262.7sq.m) and associated site works at Unit 315.

SD15A/0072: **Permission Granted** for outdoor seating area for units 128-129 & 135-138 with a total area of 141.1sq.m and associated site works.

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SD15A/0040: **Permission Granted** for material change of use of permitted offices to restaurant use with takeaway facility (total floor area 170.9sq.m, including mezzanine level) including internal alterations, additional front entrance and associated drainage works at Units 124-126.

Relevant Enforcement History

None.

Pre-Planning Consultation

None for this proposal.

Relevant Policy in South Dublin County Council Development Plan (2022-2028)

Policy EDE1: Overarching

Support sustainable enterprise and employment growth in South Dublin County recognising the County's role in the Dublin region as a driver of economic growth.

Policy EDE8: Retail - Overarching

Seek to ensure adequate retail provision at suitable locations in the County, having regard to the sequential approach, and protect the vitality and viability of existing centres in accordance with the retail framework provided by the Retail Planning Guidelines for Planning Authorities (2012, or any superseding guidelines) and EMRA RSES Retail Hierarchy.

Policy EDE9: Retail - Tallaght Town Centre

Maintain and enhance the primary retailing and major town centre function of Tallaght Town Centre as a Level 2 Major Town Centre and County (Principal) Town Centre.

EDE9 Objective 1: To support the provisions of the Tallaght Town Centre Local Area Plan, (2020), or any superseding plan regarding retail and economic growth.

EDE9 Objective 2: To continue to develop Tallaght as a vibrant and sustainable County Town at the top of the County's settlement and retail hierarchy and improve Tallaght's importance in regional retail terms.

EDE9 Objective 3: To facilitate the provision of the highest level and broadest range of retailing in the County in the Core Retail Area of Tallaght Town Centre, along with a broad range of services and functions in the wider Town Centre and Village Centre zonings.

EDE9 Objective 4: To promote the intensification of the Core Retail Area of Tallaght.

EDE9 Objective 5: To promote and encourage the development and redevelopment, to a high standard of urban design, of the identified Retail Opportunity Sites at, and adjacent to, the

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Square Shopping Centre and mixed use / retail opportunity at the former Woodies site on the Belgard Road.

Policy QDP7: High Quality Design – Development General

Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture.

High Quality Design – Street Frontage

QDP7 Objective 3:

To require a high quality of design and finish for new and replacement shopfronts, signage, and advertising, having regard to the requirements set out in Chapter 12: Implementation and Monitoring.

Policy QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

Policy G11: Overarching

Protect, enhance and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.

Policy IE1: Overarching Policy

Ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.2 Green Infrastructure and Development Management

12.5.7 Signage – Advertising, Corporate and Public Information

Development proposals that include signage should take account of the following:

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- *In general, signs on a building should only advertise goods or services that are associated with the premises and no more than two advertising signs should be erected on any elevation;*
- *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 12.3.8 Architectural Conservation Areas);*
- *Any sign 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.*

Table 3.19: Signage

- *Fascias and Box Signs Generally appropriate. Should not be internally illuminated. Lettering should be no more than 400mm in height.*
- *Backlit Signs Generally appropriate. Lettering should be no more than 400mm in height.*
- *Projecting Signs Generally not appropriate. Must be positioned no lower than 2.4m above pavement level (but not on upper floors). Maximum of one per unit. Should not be internally illuminated.*

12.5.6 Shopfront Design

- *Relate to the architecture of the building of which it forms part of and respect the scale and proportions of the streetscape;*
- *Maintain the existing grain of development along the street by respecting the appropriate plot width;*
- *The scale of windows and frequency of openings should seek to maximise activity and surveillance to the adjacent street;*
- *Utilise materials, colours and textures that complement the architectural character of the building and integrate with the overall visual unity of the streetscape;*
- *Architecturally integrate signage that is of a high standard of design, finish and installation;*
- *Take a balanced approach to the design of security measures to ensure that the need to secure the premises does not conflict with visual amenity. For this reason, the use of roller-shutters will be restricted;*
- *Ensure canopies, outdoor seating and displays add to the attractiveness and vibrancy of an area and do not disrupt movement along footpaths.*

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12.11.4 Environmental Hazard Management (iii) Lighting External lighting schemes and illuminated signage on commercial and industrial premises, sports grounds, and other community facilities, should be designed, installed and operated so as to prevent nuisance to adjoining occupiers and road users, in the interests of amenity and public safety.

South Dublin County Council Shopfront Design Guide (2019)

Canopies

- *Canopies should be kept free from signage. Any additional signage if required should be applied directly to the glass or installed behind glazing*
- *The colour and material should be constant with, or complementary to, the materials of the shopfront and building.*
- *It is essential that the blind box is incorporated into the shopfront design and not simply applied. Retracting blinds should always retract fully into the fascia and should provide safe and adequate ground clearance (minimum 2.4m above ground level).*

Tallaght Local Area Plan 2020 - 2026

Relevant Government Policy

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

Regional, Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, 2019.

Retail Planning Guidelines for Planning Authorities, Department of the Environment, Community and Local Government (April 2012).

Retail Design Manual - A Good Practice Guide, Department of Arts, Heritage and the Gaeltacht (2012).

Assessment

The main issues for assessment are:

- Zoning
- Visual and Public Amenity
- Change of Use
- Roads
- Drainage
- Environmental Health
- Screening for Appropriate Assessment
- Environmental impact assessment

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Zoning

The subject site is subject to zoning objective 'TC' - '*To protect, improve and provide for the future development of Town Centres*' under the South Dublin County Council Development Plan 2022 - 2028. A development comprising the change of use from retail use to café/restaurant use, new glazed door and window, new signage and outdoor seating would be permitted in principle in this zone. As such, subject to compliance with the relevant policies, standards and requirements of the South Dublin County Council Development Plan 2022-2028, the principle of the proposed development is acceptable at this location.

Visual and Centre Amenity

Visual Amenity

Glazing

The proposed development requires modifications to the existing glazed retail frontage including a wider access door and a new glazed wall to the western side of the front elevation. These amendments are substantially in keeping with the existing fenestration and would not be visually obtrusive and therefore is **acceptable**.

Signage and Awning

The lettering of the proposed front elevation signage is stated as 300mm which is consistent with the Shopfront Design Guide. The proposed signage will be backlit which conforms to the South Dublin County Council Development Plan. The width of the signage will be 2m with a depth of 715mm and overall, the front elevation signage would not seriously injure the visual amenity of the area is considered **acceptable**.

The proposed projecting sign extends 1.25m from the external front elevation and will be 3.12m above ground level which is consistent with the Shopfront Design Guide. Projecting signs are considered as "*generally not appropriate*" as per Table 3.19 of the Development Plan but notwithstanding this, precedent has been set by the other external units and is therefore in keeping with the established character of the shopping centre and is **acceptable**. The applicant has indicated that the projecting sign will be illuminated which is not consistent with the CDP which states that projecting signs "*Should not be internally illuminated*" and it shall be **conditioned** that the sign is not illuminated.

The proposed awning will be constant with the materials of the shopfront which is appropriate. It appears that when the awning is fully extended, the ground clearance is approximately 2.26m which is not acceptable, and it shall be **conditioned** that a ground clearance of 2.4m is achieved. The awning is not injurious to the visual amenity and is considered appropriate subject to condition.

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Outdoor Seating Area

The outdoor seating area will invigorate the pedestrian footpath and the wide character of the footpath can easily accommodate the proposed seating whilst facilitating passing footfall. It is considered that the seating area will not inconvenience pedestrians to an excessive degree and precedent has been set by similar developments in the immediate vicinity.

The seating and partitions appear to be temporary in nature and a **condition** which requires the removal of all outdoor seating paraphernalia before the latest closing time of restaurants at this location shall apply in the event of grant of permission.

Overall, the proposed development is consistent with the policies and objectives of the Development Plan, would not be visually obtrusive and is acceptable subject to conditions.

Public Amenity

There are similar uses in the direct vicinity and throughout the shopping centre. There are no residential units in the immediate vicinity and any issues relating to potential odours and noise that would have a potential impact on residential amenity have been addressed by the Environmental Health Officer.

Overall, the proposed development would not have an adversely negative impact on the amenity of the area.

Change of Use

The proposed development would provide for the change of use from (vacant) retail use to cafe/patisserie shop including the sale of hot and cold beverages. There would be internal alterations including providing a storage area, service area, wc and seating area. The unit is currently vacant, and the retail mix of The Square Shopping Centre is market led and consumer driven and the proposed would add to the overall attraction of the centre. The proposed development would also lead to further employment opportunities.

It is noted that given the nature of the proposed development there will be a takeaway element but, notwithstanding this, the proposed development would be consistent with *Policy EDE16: Retail - Fast Food Outlets / Takeaways*.

The external units at this side of the shopping centre include restaurants, takeaways and cafes including Wow Burger, Mao, Four Star Pizza and Baxtos Kebabs on the same retail parade. There are currently 24 restaurants and cafes etc in the shopping centre in total. It is considered that the subject site is an appropriate location for the proposed cafe use. The proposed use would be in keeping with the scale of the existing shopping centre, which hosts a range of existing uses. It would not lead to an inappropriate proliferation of this use at this location and therefore **would not have a significant adverse impact on the surrounding area and is acceptable**.

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Roads

The following was received from the Roads Department:

No Roads objections subject to the following conditions:

- 1. Refer to DMURS Fig. 4.34 for footpath width*

The Roads Department has referred to DMURS Figure 4.34 which gives a minimum width of 4.0m for high pedestrian activity (or 3m for moderate to high). The pedestrian access further to development will be in excess of this requirement and is therefore **acceptable**.

Drainage

Water Services and Irish Water have no objections to the proposed development, subject to standard **conditions**.

Environmental Health

No objections from the Environmental Health Officer: Their report states:

Development Summary

Change of use from retail unit to coffee shop

The coffee shop must be provided with adequate ventilation, without causing noise nuisance, and the drainage system in the coffee shop must be protected from fats oils and grease. Conversion phase must also not cause noise or dust nuisance.

The above proposal is acceptable to the Environmental Health Department – subject to the following condition(s):

Kitchen: Fumes and Noise

(a) The ventilation system shall be adequately filtered and externally vented so as not to cause a nuisance to neighbouring properties.

(b) Any fumes emitted from the premises shall be minimised and if necessary, treated using the Best Available Technology and emitted to the outer air.

(c) The noise from the operation of the ventilation system shall be attenuated so as not to cause a noise nuisance to nearby residential properties.

(d) Details to demonstrate compliance with above shall be submitted for the written agreement of the Planning Authority prior to the commencement of any development.

Reason: In the interests of public health and in the interest of protecting the established residential amenity of the surrounding area.

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Grease traps

All wastewater from kitchens shall be routed via an appropriate grease trap or grease removal system before being discharged to the public sewer. Full details of this system shall be submitted for the written approval of the Planning Authority prior to the commencement of any development.

Reason: In the interests of public health.

Conversion Phase

Noise

1. To control, limit and prevent the generation of Environmental Noise Pollution from occurring the Environmental Health Department of South Dublin County Council, hereby informs you that:

The use of machinery, plant, or equipment (which includes pneumatic drills, generators and the movement on and off the site of construction vehicles) is NOT PERMITTED outside the following hours

- Before 07.00 hours on weekdays, Monday to Friday*
- Before 09.00 hours on Saturdays.*
- After 19.00 hours on weekdays, Monday to Friday.*
- After 13.00 hours on Saturdays.*
- Not permitted at any time on Sundays, Bank Holidays or Public Holidays.*

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.

Air Quality

During the construction / 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.

Reason: To contain dust arising from construction / demolition in the interests of public health and to prevent nuisance being caused to occupiers of buildings in the vicinity.

Notes to the Developer:

The requirements of the HSE Environmental Health Officer in relation to food premises should be ascertained prior to the commencement of development.

The Environmental Health Department has no objections to the proposed development, and it is considered appropriate that the **conditions** as prescribed by the Environmental Health Officer are

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applied in the event of a grant of permission.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established retail/town centre area and comprises change of use to café/restaurant use, new glazed door and window, new signage and outdoor seating.

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 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 (EIAR)

Having regard to the modest nature of the development, 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.

Development Contributions

Development Contributions Assessment Overall Quantum

Change of Use: 46sqm

SEA Monitoring Information

Building Use Type Proposed: Cafe
Floor Area: 46sqm
Land Type: Brownfield/Urban Consolidation.
Site Area: 0.0056ha

Conclusion

Having regard to the nature and scale of the proposed development, the 'TC' zoning objective and the provisions of the South Dublin County Council Development Plan 2022-2028, it is considered that subject to the conditions set out below, the development would not seriously injure the amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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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 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 2022 - 2028 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.
The development shall be carried out and completed in its entirety fully in accordance with the 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. Signage Not Internally Lit.
The proposed projecting signage shall not be internally illuminated.
REASON: In the interest of residential amenity, and the proper planning and sustainable development of the area.
3. Awning/Canopy
Prior the commencement of development, the applicant/owner shall submit the following for the written agreement of the Planning Authority:
Drawings including elevations and sections indicating that the awning will achieve a ground clearance of 2.4m when fully extended.
REASON: In the interests of visual amenity and the proper planning and sustainable development of the area.
4. Outdoor Seating
The banner partitions, support posts, seats and tables shall be removed from the site and securely stored within the unit before the latest closing time to the public, Monday to Sunday.
REASON: In the interest of visual amenity.

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5. Kitchen: Fumes and Noise

(a) The ventilation system shall be adequately filtered and externally vented so as not to cause a nuisance to neighbouring properties.

(b) Any fumes emitted from the premises shall be minimised and if necessary treated using the Best Available Technology and emitted to the outer air.

(c) The noise from the operation of the ventilation system shall be attenuated so as not to cause a noise nuisance to nearby residential properties.

(d) Details to demonstrate compliance with above shall be submitted for the written agreement of the Planning Authority prior to the commencement of any development.

REASON: In the interests of public health and in the interest of protecting the established residential amenity of the surrounding area.

6. Grease traps

All wastewater from kitchens shall be routed via an appropriate grease trap or grease removal system before being discharged to the public sewer. Full details of this system shall be submitted for the written approval of the Planning Authority prior to the commencement of any development.

REASON: In the interests of public health.

7. 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.

8. 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,

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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.

9. Operational Noise.

(a) Noise due to the normal operation of the proposed development, expressed as L_{Aeq} 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 L_{Aeq} 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.

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10. Drainage - Irish Water.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

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.

11. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €4,542.96 (four thousand five hundred and forty two euros and ninety six cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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 requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

NOTE: Where the applicant proposes to connect to a public water/wastewater network

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operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.


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REG. REF. SD22A/0279

LOCATION: Unit 132, Ground Floor, The Square Shopping Centre, Tallaght, Dublin 24



Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission 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: 15/8/22



Eoin Burke, Senior Planner