

Planning Department
South Dublin County Council
County Hall
Tallaght
Dublin 24

04 November 2022

Re: Planning Application for Amendments to An Bord Pleanála Ref. ABP-305556-19

Dear Sir/Madam,

This letter accompanies a planning application on behalf of Citywest Drive Limited Partnership for amendments to the Strategic Housing Development (SHD) permitted under ABP Ref. 305556-19 at City West Shopping Centre, Fortunestown, Dublin 24.

In summary, the proposed amendments to the permitted residential development comprise:

- The omission of a permitted vehicular ramp to the rear (southern elevation) of the Citywest Shopping Centre;
- The replacement of the permitted vehicular ramp with 5 no. additional car parking spaces, with associated amendments to the parking layout, pedestrian paths and landscaping in the immediate vicinity;
- Enlargement of a permitted circulation core from basement to surface level in the south-eastern corner of the existing Citywest Shopping Centre.
- The relocation of permitted demountable bollards further eastwards along the permitted roadway to the south-east of the Citywest Shopping Centre and the enlargement of a nearby permitted hammerhead circulation area.
- The provision of a standalone red brick ESB substation proximate to the permitted apartment Block D.

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.

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 26 August 2022 (SDCC Ref. LRDPP008/22).

Directors:
Declan Brassil &
Sharon Gorman

Reg No.:
329512

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.

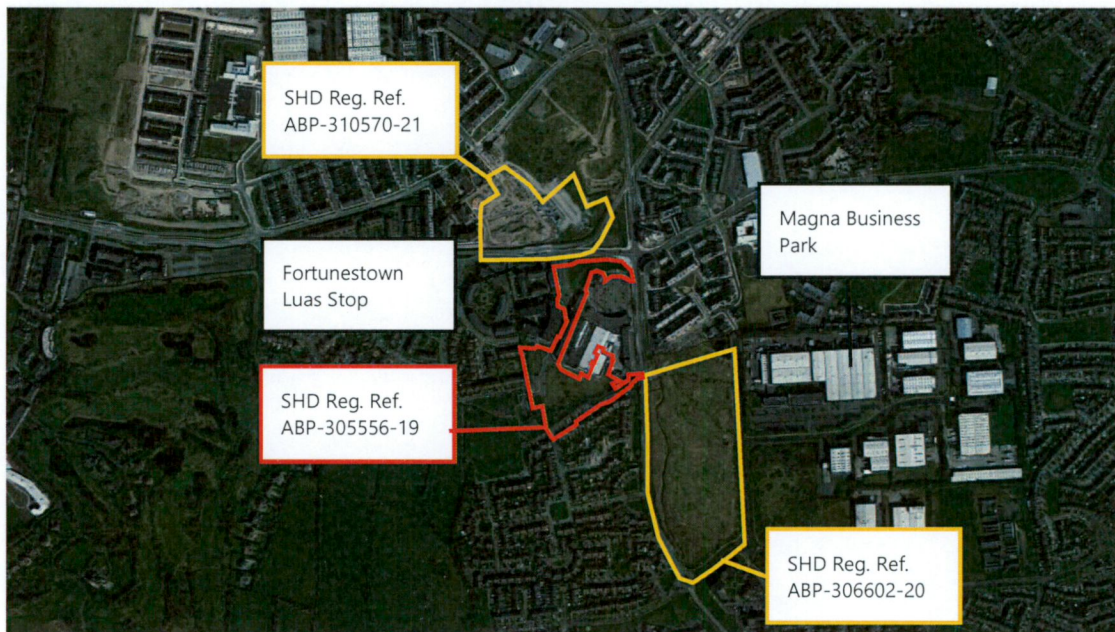
2 Site Location & Context

The subject site comprises the site of a residential development permitted under ABP Ref. 305556-19, including part of the basement level of the existing Citywest Shopping Centre (overall site area of c. 2.9 ha).

The Citywest Shopping Centre and residential development site 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)



3 Planning History

3.1 Citywest Shopping Centre and Immediately Surrounding Lands

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)

Planning permissions that relate to the wider development site (including subject site) that surrounds the Citywest Shopping Centre include:

- Reg. Ref. SD03A/0857 – a permitted mixed use development (expired and not implemented);
- Reg. Ref. SD14A/0108 – provision of a McDonalds Drive Thru Restaurant (implemented); and,
- Reg. Ref. SD18A/0220 – provision of a temporary car park to the south of the Citywest Shopping Centre (expired and not implemented).

3.2 Permitted SHD Development to be Amended (Parent Permission)

The proposed development relates to amendments to a strategic housing development (SHD) permitted by An Bord Pleanála (**Reg. Ref. ABP-305556-19**) on the 20 January 2020. The permitted development, as described in the public notices comprised 6 no. blocks containing 290 no. apartment units, residential amenity facilities, a childcare facility, 4 retail units and 2 café/restaurant units, together with ancillary car parking. The 6 no. permitted blocks comprise the following:

- Block A: six storeys in height comprising 26 no. one-bed units, 20 no. two-bed units and 11 no. 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 no. one-bed units, 26 no. two-bed units and 9 no. 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 7 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.

The SHD development was permitted subject to 31 no. conditions, including the following:

Condition 2: *'Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority a revised plans and details to include:*

(a) *The omission of the 29 number car parking spaces proposed to the east and south-east of Block E and their replacement with appropriate landscaping to provide a buffer between the apartment block and service/access road.*

(b) *The omission of the 12 number perpendicular spaces located to the west of Blocks A and C and for this area to be incorporated with the proposed outdoor gym with revised hard and soft landscaping detail'.*

Condition 3: *'Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority a revised layout for the existing road and car parking arrangement located to the south of Block D to include provision for the Citywest Drive Access Road to connect up to the boundary with Carrigmore Green to facilitate the potential for future vehicular access. Revised layout also to facilitate potential for revisions to existing vehicular access to car parking area within the District Park and for appropriate pedestrian and cyclist connectivity to Carrigmore Green and the park.'*

Condition 6: *'The following requirements in terms of traffic, transportation and mobility shall be incorporated and, where required, revised drawings / reports showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development:*

(a) *The roads and traffic arrangements serving the site (including footpath connections and signage) shall be in accordance with the detailed requirements of the planning authority for such works and shall be carried out at the developer's expense.*

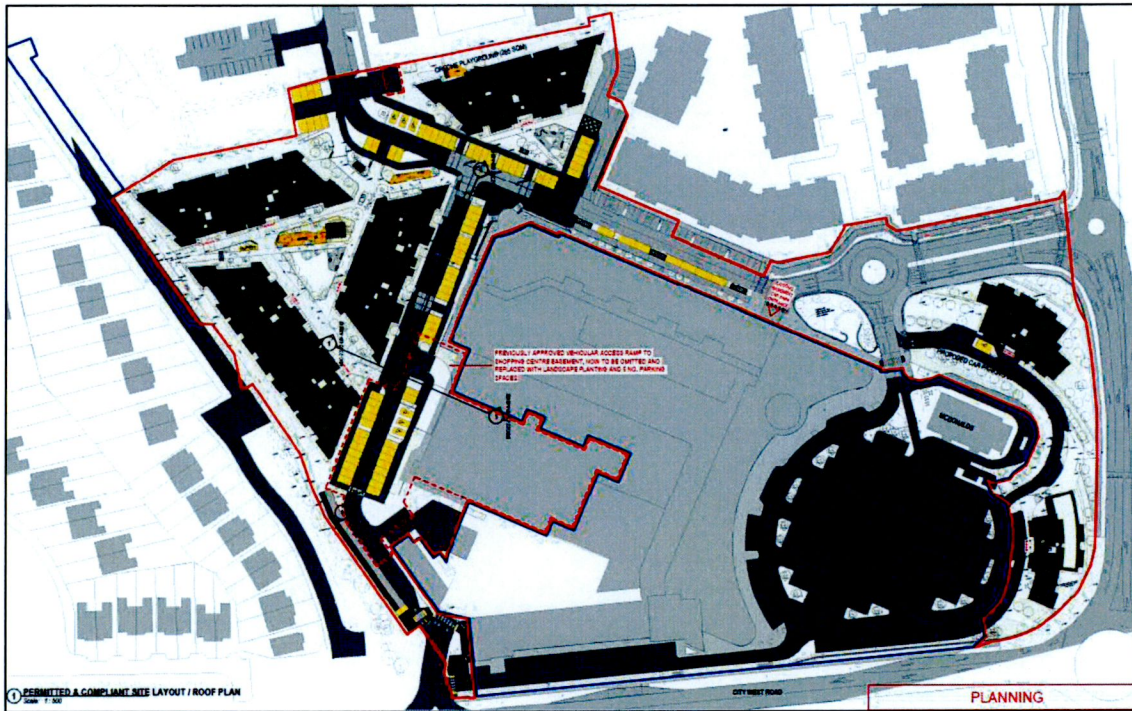
(b) *The roads layout including junctions, parking areas, footpaths, cycle paths and kerbs, pedestrian crossings, car parking bay sizes and road access to the development shall comply with the requirements of the Design Manual for Roads and Streets and with any requirements of the planning authority for such road works.*

(c) *Cycle tracks within the development shall be in accordance with the guidance provided in the National Cycle Manual.*

(d) *The materials used in any roads/footpaths/set down areas provided by the developer shall comply with the detailed standards of the planning authority for such road works.*

(e) *A Mobility Management Plan shall be prepared and submitted to the planning authority for approval prior to the commencement of development.'*

Revised layout and detail drawings to comply with the above conditions were submitted to the Planning Authority in mid-July 2022. Compliance discharge letters for the above conditions were received and dated between 9 and 16 August 2022. Accordingly, the layout plan submitted with this application is based on the agreed compliant 'as permitted' layout. Figure 3.1 below is an extract of the compliant layout.

Figure 3.1 Permitted and Compliant Site Layout Drawing (source: MDO Architects)

3.3 Recently Proposed Amendments to Permitted SHD Development

On 4 July 2022, an application was submitted to South Dublin County Council (**Reg. Ref. SD22A/0299**) for amendments to the permitted SHD development (Reg. Ref. ABP-305556-19) comprising:

- The provision of photovoltaic panels on the roofs of all 6 no. permitted blocks;
- the provision of roof plant at permitted 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.

It was stated that 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.

On the 29 August 2022, SDCC issued a request for further information in relation to 3 no. items, summarised as follows:

1. The submitted plans do not take into account the layout agreed as per Conditions 2 and 3 of the parent permission, which revised the car parking and public realm around Block D, in particular around the proposed ESB substation. In this regard, the applicant is requested to provide additional information, including revised layouts.
2. The applicant is invited to provide brick finishes to the rooftop plant areas to match the permitted buildings, on elevations that are externally visible to the site.
3. The applicant is requested to (a) clarify where the proposed substation is relative to the existing surface water network and (b) submit report(s) and drawing(s) to explain how surface water

from additional hardstanding will be attenuated.

A response to the further information request was submitted to SDCC on the 10 October 2022.

In response to Item 1, a copy of the permitted and compliant layout agreed with SDCC, and a revised set of proposed layout drawings (revised to take account of the permitted and compliant layout) were submitted. The permitted and compliant layout illustrated an ESB Substation beside Block D and was reflected in the revised proposed layout drawing.

At the time of preparing the further information response, the precise detail on the substation beside Block D was in the process of being agreed with ESB. Accordingly, the proposal for the ESB substation was omitted from the application. It was clarified in the response that an application including the ESB substation, at the location currently illustrated on the permitted and compliant site layout (beside Block D) will be submitted in October. It is noted that this application incorporates the ESB substation referenced above.

In response to Item 2, revised architectural drawings were submitted providing a brick finish to all roof level plant areas to match the permitted buildings.

In response to Item 3, a comprehensive review of the drainage design was undertaken by Barrett Mahony Consulting Engineers. A drainage layout plan for the entire development, taking account of the revised road and parking layout agreed by Conditions attached to the Parent Permission (Conditions 2, 3 and 6) and the additional hardstanding area provided by the proposed rooftop plant was submitted to the Planning Authority, together with associated reports.

4 Proposed Development

The proposed development comprises amendments to the residential development permitted under ABP Ref. ABP-305556-19, consisting of:

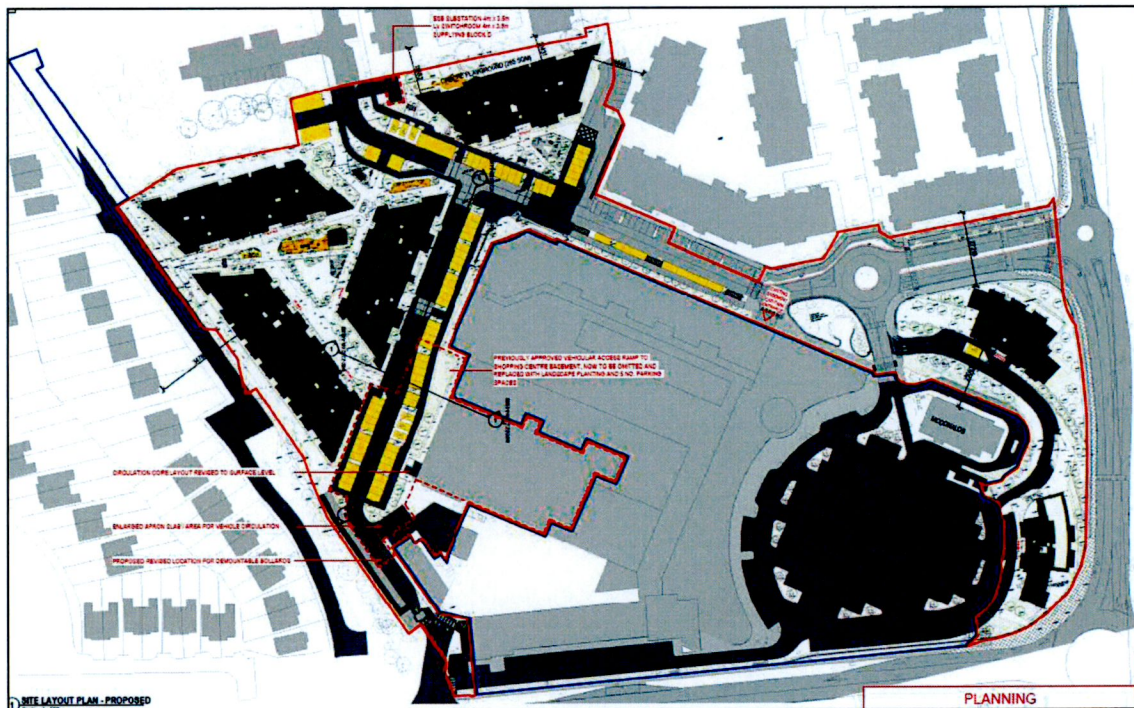
- The omission of a vehicular ramp to the rear (southern elevation) of the Citywest Shopping Centre, permitted as part of the SHD development. The purpose of the permitted ramp was to provide a dedicated vehicular access to residential car parking spaces (49 no. spaces) allocated within the basement level of the existing Citywest Shopping Centre. It is submitted that the existing vehicular access ramp and the internal basement layout of the Citywest Shopping Centre is sufficient and adequate to accommodate traffic arising from the allocated basement parking for the residential development. Accordingly, it is considered that the additional permitted vehicular ramp and associated permitted changes to the existing basement layout is not required. Appropriate management systems will be in place to ensure that future residents of the residential development have 24 hour access to designated spaces;
- The replacement of the permitted ramp access onto the adjoining permitted roadway with 5 no. additional car parking spaces, with associated amendments to the parking layout, pedestrian paths and landscaping in the immediate vicinity;
- The enlargement of a permitted circulation core from basement to surface level in the south-eastern corner of the existing Citywest Shopping Centre. This enlarged circulation core (incorporating stairwell and lift) is provided to ensure easy pedestrian and cyclist (and wheelchair) access to the basement level designated residential car parking.

- The relocation of permitted demountable bollards further eastwards along the permitted roadway to the south-east of the Citywest Shopping Centre and the enlargement of a nearby permitted hammerhead circulation area. These proposed amendments have been proposed following a comprehensive review of emergency and service vehicle access and circulation requirements along the permitted roadway; and,
- The provision of a standalone red brick ESB substation proximate to the permitted apartment Block D that is required to service the scheme. It is noted that the location and layout of the ESB substation was included in the revised layout agreed with the Planning Authority for compliance with Conditions 2, 3 and 6 of the SHD permission (refer to Figure 3.1 above).

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.

Figure 4.1 below is an extract of the proposed site layout prepared by MDO Architects and submitted with the application documentation.

Figure 4.1 Proposed Site Layout Drawing (source: MDO Architects)



4.1 Rationale for Proposed Amendments – Basement Car Park, Access Ramp and Associated Works

As detailed above, 46 no. car parking spaces within the south-eastern corner of the basement level of the Citywest Shopping Centre were allocated to the permitted residential development under ABP Ref. 305556-19. These spaces were permitted to be separated from the commercial spaces of the shopping centre through the provision of:

- A dedicated vehicular ramp along the southern elevation of the Citywest Shopping Centre to

serve the residential car parking spaces only;

- A dedicated pedestrian stair core in the south-eastern corner of the Citywest Shopping Centre extending from basement to surface level to serve the residential car parking spaces only;
- New partition walls in the basement separating the residential parking spaces from the commercial parking spaces, resulting in the creation of new circulation arrangements for the basement level.

Following the grant of the permission, the applicant and design team undertook a comprehensive review of this vehicle circulation and parking arrangement in terms of operational efficiencies, construction cost, operational cost to future residents, maintenance, security, vehicle circulation and traffic management.

The review concluded that vehicular movements associated with the residential spaces can be more appropriately and efficiently accommodated within the existing circulation and access arrangement of the basement. In this regard, the submitted technical note prepared by Barrett Mahony Consulting Engineers notes that there are no reports of traffic or queuing issues associated with this existing vehicular access to the basement. In addition, it is anticipated that there will be a decrease in vehicular movements from these 46 no. spaces arising from their conversion from commercial to residential use.

Accordingly, it is considered that the partition of the existing basement, provision of a dedicated vehicular access ramp and a revised basement level vehicle circulation arrangement is not required to serve the 46 no. residential car parking spaces at basement level. The omission of the permitted additional vehicular access ramp and the continuation of the existing basement level vehicle circulation arrangement would:

- Improve road safety by avoiding the creation of an additional pedestrian crossing point at the entrance to the ramp at surface level;
- Eliminate or significantly minimise disruptions to the operation of the existing shopping centre that would arise during the construction phase;
- Facilitate the provision of additional surface level car parking (5 no. spaces). These additional parking spaces will partially offset the spaces lost due to the revised road and parking layout agreed with the Planning Authority from compliance with Conditions 2 and 3 attached to ABP Ref. ABP-305556-19.
- Minimise the operational maintenance and security cost to future residents associated with the basement level car parking.
- Remove an unnecessary construction cost during a period of significant price increases.

The 46 no. residential car parking spaces in the basement will be delineated from the commercial spaces by dedicated residents only signage and numbering. Internal basement signage will inform all arrivals that no visitors to the Shopping Centre are allowed to park in dedicated residential spaces. Internal directional basement signage will also be provided to the residential spaces. A resident only pedestrian/cyclist access to the basement from surface level is provided in the south-eastern corner of the Citywest Shopping Centre (proximate to permitted apartment blocks A and B) via an enlarged circulation core (including stairwell and lift).

All future residents will be informed of the location of the designated spaces, given an electronic fob/key

card to allow 24-hour access to the basement level car park and provided with contact details for the management, security and maintenance teams.

4.2 Rationale for Proposed Amendments – Circulation for Service Vehicles and ESB Substation

The design team also undertook a comprehensive review of the permitted access and circulation arrangement for service vehicles and infrastructure requirements following an extensive consultation process with ESB. On the basis of this review, the proposed development includes:

- (a) The relocation of permitted demountable bollards and the enlargement of a permitted hammerhead turning area to accommodate a revised services vehicle access and circulation arrangement; and,
- (b) The provision of a standalone ESB Substation to serve the permitted residential development. proximate to apartment block D, in accordance with the detailed requirements of ESB.

It is noted that the location of this ESB Substation was initially included in the layout submitted to the Planning Authority for compliance with Conditions 2, 3 and 6 attached to the permission to be amended (ABP Ref. ABP-305556-19).

4.3 Possible Effects on the Environment

An EIA Screening Statement and an Ecological Impact Statement were submitted with the SHD application (ABP Ref. ABP-305556-19) and did not identify any likely significant impact on the environment arising from the permitted scheme.

It is submitted that the omission of the permitted ramp to the basement of the Citywest Shopping Centre, the provision of an ESB substation to serve the development and minor amendments to the internal road layout will not result in the significant use of natural resources and will not produce additional 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.

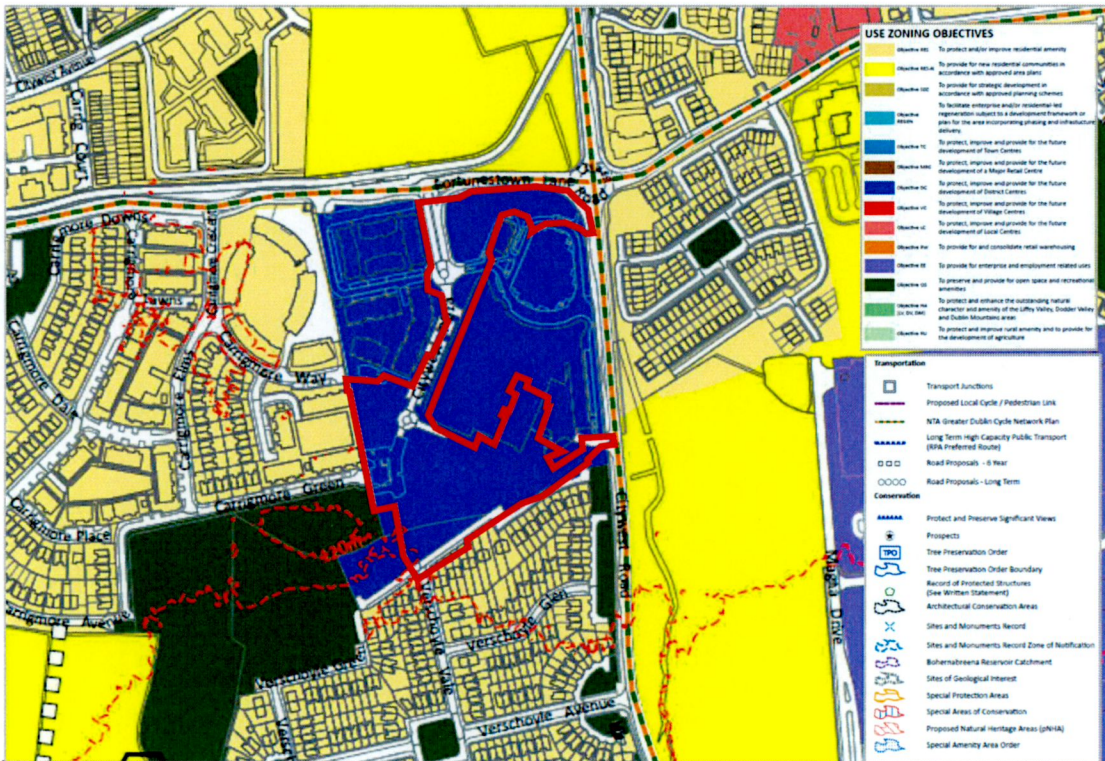
The proposed amendments have been screened for Appropriate Assessment by Openfield Ecological Services. This AA screening report concludes:

'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.'

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 2022-2028. 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.

Figure 5.1 Excerpt from Sheet 8 of the t South Dublin County Development Plan 2022-2028 with the subject site shown in red.



Section 12.7.6 of the County Development Plan relates to car parking design and layout for residential and commercial developments. This section generally promotes/requires the provision of off-street parking areas for large and high density commercial/residential developments (incl. in town, district and shopping centres) in the form of parking courts, basements or multi-storey car parks.

The proposed development seeks to primarily amend the permitted access arrangement to the designated residential spaces within the existing basement of the Citywest Shopping Centre to ensure operational efficiency and effective delivery of the scheme.

6 Supporting Documents Submitted

The following documents are submitted with this planning application:

- 6 no. copies of this Cover Letter
- 6 no. copies of the Architectural Drawings prepared by McCauley Daye O'Connell
- 6 no. copies of the Engineering Drawings and Memo prepared by BMCE Consulting Engineers.
- 6 no. copies of the Landscaping Plan prepared by Cameo & Partners
- 6 no. copies of the Appropriate Assessment Screening Report prepared by Openfield
- 1 no. copy of the Completed Application Form
- 1 no. copy of the Newspaper notice published in the Irish Daily Star.
- 1 no. copy of the Site Notices erected on site.
- Cheque for Planning Application Fee.

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

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Declan Brassil', with a stylized flourish at the end.

Declan Brassil
Declan Brassil & Co.

