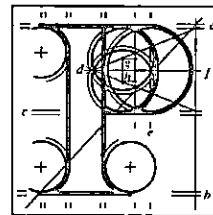


**Our Case Number:** ABP-315336-22

**Planning Authority Reference Number:** SD22A/0316



**An  
Bord  
Pleanála**

South Dublin County Council  
Planning Department  
County Hall  
Tallaght  
Dublin 24



**Date:** 15 December 2022

**Re:** Extension, Change of Use, Alterations to Kilnamanagh Shopping Centre and all associated site works.

Kilnamanagh Shopping Centre, Treepark Road / Mayberry Road, Kilnamanagh, Dublin 24

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

As the appeal relates solely to the proper application by the planning authority of the terms of the development contribution scheme adopted under section 48 of the Act in respect of the condition(s) under appeal, and as there are no other appeals against the decision of the planning authority on the planning application, the provisions of section 48(10)(b) and (c) of the Act apply to this appeal.

Section 48(10)(c) of the Act provides that the planning authority shall, subject to the applicant furnishing to the planning authority security for payment of the full amount of the contribution(s) specified in the condition(s) the subject of the appeal, make the grant of permission.

The Board will determine the appeal on the basis of the proper application of the terms of the development contribution scheme and will issue appropriate directions to the planning authority when it has determined the appeal.

#### **Submissions or observations by the planning authority.**

As a party to the appeal you may, under section 129 of the Act, make submissions or observations in writing to the Board in relation to the appeal within a period of 4 weeks beginning on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered and where none have been validly received, the Board may determine the appeal without further notice to you.

**Please note that in accordance with section 251 of the Planning and Development Act, 2000, (as amended), the period beginning on 24th December and ending on 1st January, both dates**

Tel	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1800 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

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

**inclusive, should be disregarded for the purposes of calculating the last date for lodgement of submissions or observations.**

**Your submissions or observations should specifically address the grounds of appeal relating to the alleged improper application of the development contribution scheme to the condition(s) under appeal. You should also supply details of the calculation involved, the basis on which the calculation was made and the specific provisions in the scheme on which the calculation was based.**

**Submissions of documents etc. to the Board.**

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Act. Please forward, within a period of 2 weeks beginning on the date of this letter, the following documents:-

(i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Act. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,

(ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,

(iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,

(iv) a copy of the notification of decision given to the applicant.

(v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,

(vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

(vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of the reply and documents (if any) submitted in response to such requests,

(viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority in accordance with the permission regulations by persons or bodies other than the applicant.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items, by signing the certification on page 2 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above please supply particulars and relevant documents relating to previous decisions affecting the same site only where these are relevant to the proper application of the development contribution scheme.

Please quote the above appeal reference number in any further correspondence.

Teil	Tel	(01) 858 8100
Glaio Áitiúil	LoCall	1800 275 175
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64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

AN BORD PLEANÁLA	
LDG-	_____
ABP-	_____
14 DEC 2022	
Fee: €	Type: _____
Time: _____	By: _____



**First Party Planning Appeal**

**Planning Authority: South Dublin County Council**

**Appellant: Better Value Unlimited Company**

PA Ref: SD22a/0316

Date: 14 December 2022

AN BORD PLEANÁLA	
LDG-	059988-22
ABP-	315336-22
14 DEC 2022	
Fee: € 220	Type: <i>bank draft</i>
Time: 13.53	By: <i>hewnd</i>

Prepared By:	Date of Final Version
Tony Bamford	14 December 2022

**Tony Bamford Planning**  
 Airport Hub, Furry Park, Swords Road, Santry, Dublin 9  
[www.tonybamfordplanning.ie](http://www.tonybamfordplanning.ie)

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Appendix 1 Notice to Grant: SD22a/0316

Appendix 2 Planning Ref: S00a/0873

Appendix 3 Planning Ref: SD06a/0095

Appendix 4 Planning Ref: SD06a/0850

## 1.0 Introduction

### Summary

Tony Bamford Planning has been instructed by Better Value Unlimited Company to prepare this appeal in respect of Condition 7:

*Condition 7 Financial Contribution.*

*The developer shall pay to the Planning Authority a financial contribution of €448,074.12 (four hundred and forty eight thousand, seventy four Euros and twelve 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.*

The details of the content of this appeals legislative requirements are summarised in Table 1.0.

<b>Table 1.0</b>	
<b>Item</b>	<b>Response</b>
Appeal Fee	Euro 220
Appeal Type	First Party – Financial Contribution appeal only against condition 7.
Grounds of appeal	Set out below
Appellant's Name	<i>Better Value Unlimited Company</i>
Appellant's Address	<i>46-50 South Great George's Street, Dublin 2, Dublin</i>
Planning Authority	South Dublin County Council
Planning Reference	SD22a/0316
Date of Decision	18 November 2022
Date of Manager's Order	18 November 2022
Last Date for Appeal	<b>15 December 2022</b>
Copy of Decision	<b>Appendix 1</b>
Agent name and address	Tony Bamford Planning
Correspondence Address	Airport Hub, Furry Park, Swords Road, Santry, Dublin 9.

## 2.0 Grounds of Appeal

### Development Contribution attached to Notice to Grant (NTG) PA Ref: SD22a/0316

Our client was delighted to receive the recent Notice to Grant permission for their extension of the Kilnamanagh Shopping Centre.

On review of the decision, we noted an issue with the Development Contribution. Unfortunately, when lodging the application, we did not have the necessary information to hand to address previous payments made on the centre. We are now in receipt of the relevant information and in this regard are seeking a change to the amount of the Contribution in Condition 7.

#### The Contribution:

Condition No7 of the NTG seeks payment of Euro 448,074.12 relating to public infrastructure benefiting the development and applied under Section 48 of the Act.

This was calculated as follows (extract from Chief Executive's Report)

<b>Other Considerations</b>	
<b>Development Contributions</b>	
<ul style="list-style-type: none"> <li>Development subject of this application for a two storey extension is proposed along the centre's eastern elevation (total GFA increase of 2,336sq.m).</li> <li>Change of Use of the first-floor retail area which will be extended and subdivided to provide for two new non-retail, service units.</li> <li>Unit 1 will extend to c.1,411sq.m for use as a health centre and</li> <li>Unit 2 will extend to 790sq.m for use as a gym.</li> <li>Assessable area is 4537sq.m.</li> </ul>	
<b>Development Contributions</b>	
Planning Reference Number	SD22A/0150
Summary of permission granted:	commercial extension 2336sq.m. & change of use 2201sq.m.
Are any exemptions applicable?	No
If yes, please specify:	
Is development commercial or residential?	Commercial
Standard rate applicable to development:	98.76
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	98.76
Area of Development (m2)	4537
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	4537
Vehicle display areas/ Open storage spaces	0
Rate applicable	€0.00
Contribution	€0.00
<b>Total development contribution due</b>	<b>€448,074.12</b>

## The Council's calculation

The above calculation sheet applies a unit cost of Euro 98.76 to a total area of 4,537sqms which the row entitled "Summary of permission granted" notes includes:

- Commercial Extension: 2336sqms
- Change of use: 2,201sqms.

The first figure is correct as it relates to the ground floor extension of 1,639 sqms and first floor extension of 697sqms. So, a contribution should be raised in relation to the addition gross floorspace. The calculation is:

- $2,336\text{sqms} \times \text{Euro } 98.76 = \text{Euro } 230,703.36$  (the ground floor extension Euro 161,867.64 and the first-floor component figure is Euro 68,835.72)

Confusingly, the Council then goes on to apply the unit cost to a change of use area of 2,201sqms. This figure is the total floor area of the gym and the medical centre proposed at first floor. But it includes the 697sqms, first floor extension.

What the Council neglected is that they had already applied a unit cost of Euro 98.76 to the first-floor extension area of 697sqms (a figure of Euro 68,835.72) as new floorspace. So, this area has been charged twice in the above Council calculations. Once as new floorspace and once as a change of use.

## The Areas of Concern:

We take no issue with the application of the development contribution as it relates to the ground floor extension of the centre. That contribution element of 1,639sqms generate a fee of Euro 161,876.64 which is in order. Likewise a contribution is due on the first floor extension floorspace of 697sqms (Euro 68,835.72). That is a total of Euro 230,703.36.

The issues in this case relate to the existing first floor. There are two components:

1. Double counting first floor extension as both new floorspace and change of use.
2. Previous payments made in relation to the first-floor area. The Existing First floor granted originally under Pa Ref S00A/0873 (office use) and subject to two later applications for change of use from offices to retail and latterly SD06a/0095 (change of use application

of first floor from office to retail) and latterly SD06a/0850 (which was a retention application).

The existing first floor is shown outlined in red in Figure 1.0 below and the first-floor extension is blue shaded area and is an area of 697sqms. The area outlined in red is 1,504sqms and that is the existing first floor. The total of the two areas is 2,201sqms.

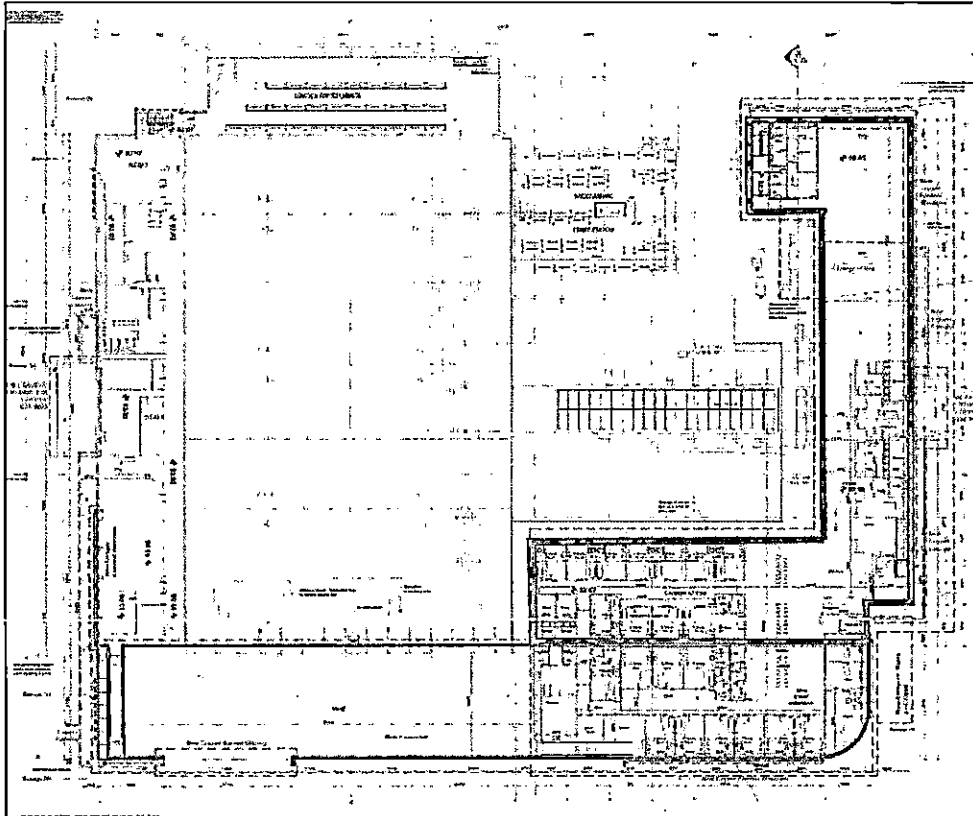


Figure 1.0: Permitted layout of First Floor.

The application included the extension of the first floor and use as gym (mostly in the existing area) and medical centre (partly in the existing area with the rest filling the extension component).

### **The Double Count – First Floor Extension component**

As noted above the total contribution for the additional extension floorspace is Euro 230,712.36. The ground floor extension is Euro 161,867.64 and the first-floor component figure is Euro 68,835.72.

The Council then went on to apply Euro 98.76 / sqms to an area of 2,201sqms for a change of use. What it should have done, at least initially, was to deduct 697sqms (the first-floor extension)



from this figure to leave an area of 1,504sqms (which is the existing first floor area – the red area). So, initial, gross, change of use component figure should have been Euro 148,535.04.

That gross figure of Euro 148,535.04 should then have been subject to a deduction for fees previously paid on the existing first floor area which we review below.

Nowhere in the Scheme can the contribution be applied to new floorspace and also a change of use of that same floorspace. This is obviously because new floorspace has a first use allocated to it.

### **The Exemption set out in the Development Contribution Scheme:**

The Scheme applies contributions to change of use of floorspace only when contributions were not paid previously on the same floorspace. The adopted Scheme notes at Section 11:

*(xxvi): Change of use: In respect of a permission for change of use, where development contributions were paid in respect of the former use the contribution payable on the new use will be net of the quantum of development previously paid for. Where a contribution was not previously paid or the original development was carried out before 1963 it shall be treated in its entirety as new development and assessed accordingly. The Development Contribution Scheme does not provide for any rebate or refund in this regard. Agents/applicants should provide evidence of prior payment at application stage to expedite assessment and avail of this exemption.*

The Scheme does not distinguish between an application for new floorspace and a later change of use of that same area. The Scheme refers globally to "development previously paid for..". That is directly relevant to this case as monies were paid on the original new floorspace and latter for their change of use.

Where amounts have been paid and this can be proven, the total of those payments should be deducted from the gross figure of Euro 148,535.04. We consider this element in more detail later.

**The Existing First Floor Component – Original fee (2000) and the later change of use fee (2006/7)**

We submit that the existing first floor component of the building (the red area) has already been subject to fully paid-up development contributions under Pa Ref: S00a/0873 and SD06a/0095.

- **S00a/0873:** As per **Appendix 2** a total of Euro 72,204 was paid by our client in respect of conditions 12 and 13. Condition 12 requested a payment of Euro 20,049 and Condition 13 a figure of Euro 52,155.

That development included and extension to the north of the centre to create what are now the ground floor retail units, which replaced a previous rundown area of the shopping centre. It also included offices at first floor (broadly speaking the disputed first floor area). The Chief Executive's report (17 January 2001, page 2 – see **Appendix 2**) noted that the new retail area would be 248sqms (this was a net additional area after the old retail was demolished and the new retail constructed) and the offices would be 1,708sqms. The total of the two contributions was Euro 72,204. The Council we have to assume imposed a contribution on the net new floorspace being created at ground floor 248sqms and the new office, first floor of 1,708sqms a total of 1,956sqms. The unit cost was then Euro 72204/1956sqms or Euro 36.92 per sqms. The portion then attributable to the First Floor Component (the red area) is **Euro 63,059 (allowing for inflation this is equivalent to circa Euro 100,870.80 using the CSO inflation calculator)**.

- **SD06a/0095:** As per Appendix 3, The final grant requested a total figure of Euro 66,208.14 under Condition 6. A total of Euro 66,208.14 was confirmed as paid, by our client to SDCC on 17 August 2007. The council confirmed in writing that the monies were paid – see **Appendix 3**.

This application related almost exclusively to the First Floor Office space granted under S00a/0873. The figure for the constructed first floor area is some 1,528sqms plus a small area of 118sqms of ground floor entrance hall. The application sought to change the use from office to retail. Assuming the above contribution was applied to a total area of 1,646sqms, then a unit figure of Euro 44.22/sqm must have been applied universally to all the floorspace to which the change of use related (the actual calculations are not available on file). So, for accuracy, some **Euro 61,461.75 (allowing for inflation this is equivalent to circa Euro 75,366.01 using the CSO inflation calculator)**.

- **SD06a/0850:** As per Appendix 4, a total of Euro 80,810.49 was confirmed as paid, by our client to SDCC on 23 October 2007. This figure did not relate to the first-floor area as outlined in red in the above plan so if not relevant to the overall calculations. For

completeness the applicant also paid these contributions as per the Council letter in Appendix 4.

That is a total of Euro 176,236.81 (including inflation) which was paid in relation to the *existing first floor component across two different applications*. In essence therefore, the remaining balance of Euro 148,526.04 is entirely offset by the historic payments of in 2000 and 2007 totaling Euro 176,236.81 (adjusted for inflation).

### 3.0 Conclusion

Therefore, the total due in this case relates only to the contribution as it applies to the permission for the additional new floorspace created by this application, a total of Euro 230,703.36.

#### Remedy Sought

We request that the figure in Condition No.7 is adjusted to reflect the Euro 230,703.36.

**Appendix 1**  
**Copy of Notice to Grant**

Tony Bamford Planning  
Airport Hub  
Furry Park  
Swords Road  
Santry  
Dublin 9

**NOTIFICATION OF DECISION TO GRANT PERMISSION  
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND  
PLANNING REGULATIONS THEREUNDER**

<b>Decision Order Number:</b>	1452	<b>Date of Decision:</b>	18-Nov-2022
<b>Register Reference:</b>	SD22A/0316	<b>Date:</b>	01-Nov-2022

**Applicant:** Better Value Unlimited Company

**Development:** Extension, Change of Use and alterations to Kilnamanagh Shopping Centre; A two storey extension is proposed along the centre's eastern elevation (total GFA increase of 2, 336sq.m); Change of Use of the first-floor retail area (last used by Dunnes Stores as textile sales space) which will be extended and subdivided to provide for two new non-retail, service units; Unit 1 will extend to c.1, 411sq.m for use as a health centre and Unit 2 will extend to 790sq.m for use as a gym; Removal of condition 3 of PA Ref: SD06a/0095 to allow for the increased net sales area to allow for the increase in net comparison sales space at ground floor level; New entrance ramp and steps at the north of the extension; The southern lobby entrance into Dunnes Stores will be demolished and replaced with a new glazed lobby entrance; New walkway canopy generally on the north and south elevations; New ramped access next to existing pedestrian entrance steps on Mayberry Road; Reconfigure existing entrance to Treepark Road including revised parking layout generally around the east side of the building to allow for an adjusted, one-way, system around the centre; Car parking, as a result of the extension, will be reduced; Four electric vehicle parking spaces; Covered cycle parking; New enclosed service yard wall and gates to existing service area on the west side of the centre; New signage (including illumination) proposed to elevations including two Totem signs; Recladding on elevations. Additional landscaping treatment generally around the east side of the centre arising from the amendments to the car park. Landscaping works and all drainage works including SUDS measures; All other ancillary works to facilitate the development.

**Location:** Kilnarnagh Shopping Centre, Treepark Road / Mayberry Road,  
Kilnarnagh, Dublin 24

**Floor Area:**

**Time extension(s) up to and including:**

**Additional Information Requested/Received:** 20-Sep-2022 /01-Nov-2022

**Clarification of Additional Information Requested/Received:**

**DECISION TO:** Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, 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 conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

#### **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 condition(s) set out hereunder is thereby in accordance with the proper planning and sustainable development of the area.

#### **SECOND SCHEDULE**

**Conditions and Reasons:**

1. Development to be in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 01/11/2022, 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. Roads Requirements.
  - (a). In the interest of sustainable transport, the applicant shall review the demand for EV charging points periodically and provide further charging points if required.
  - (b). All bicycle parking spaces shall be covered and constructed in line with National Cycle Manual standards.
  - (c). A revised detailed Mobility Management Plan shall be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority.
  - (d). The level of illumination of the lighting for the signs shall be reviewable at any time by the Roads Department in the interests of traffic safety, and adjustments shall be made

by the applicant at their own expense if required to do so by South Dublin County Council.

(e). Prior to commencement of development, the applicant shall submit the Construction Traffic Management Plan for the written agreement of the Planning Authority.

(f). Prior to commencement of development, the applicant shall submit a developed Construction & Demolition Waste Management Plan (C&DWMP) for the written agreement of the Planning Authority

REASON: In the interest of proper planning and sustainable development.

3. Drainage - Surface Water.

The disposal of surface water, shall fully comply with all of the technical requirements of the Council's Water Services Section. In this regard, prior to the commencement of development, the applicant/developer shall submit the following for the written agreement of the Planning Authority:

(a) Fully detailed foul and surface water drainage plans for the proposed development as approved showing location of all manholes, AJs etc located within the site boundary up to and including point of connection to the public sewer that fully accords with the requirements Council's Water Services Section and or 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.

(c) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

(d) The soakaway design to be submitted shall be certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance and shall include documented evidence of infiltration test results to demonstrate that the soakaway complies with the requirements of BRE Digest 365.

The revised plans shall provide for a soakaway to be located within the curtilage of the property and this shall be:

(i) at least 5m from any buildings, public sewers or structures and not in such a position that the ground below foundations is likely to be adversely affected.

(ii) at least 5m from the nearest road boundary and not within 3m of the boundary of the adjoining site.

(iii) a minimum of 10m from any sewage treatment percolation area.

(iv) at least 10m from any stream / river / flood plain.

(e) Prior to commencement the of development the applicant shall submit to the planning authority for written approval a drawing showing the existing and proposed watermain layout of the development site and obtain a letter of confirmation of feasibility from Irish Water for proposed development.

(f) Prior to the commencement of development the applicant or developer shall enter into water connection agreement(s) with Irish Water.

(g) Prior to the commencement of development the applicant shall submit a drawing showing the existing and proposed wastewater layout of the development site and obtain a letter of confirmation of feasibility from Irish Water for proposed development.

(h). Prior to the commencement of development the applicant or developer shall enter into waste water connection agreement(s) with Irish Water.

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



drainage provision.

4. Landscaping, taking in charge and SUDs.

1. Implementation of Landscape Masterplan.

The landscaping scheme shown on drawing No. 221 46-2-100 Rev B Landscape Masterplan and associated plans shall be implemented in full, within the first planting season following completion of the development, in addition:

- a) All hard and soft landscape works shall be completed in full accordance with the submitted Landscape Masterplan (drawing No. 221 46-2-100 Rev B).
- b) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
- c) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012. Trees in Relation to Design, Demolition and Construction – Recommendations.
- d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted

2. Retention of Landscape Architect.

- i) Prior to the commencement of any permitted development, the developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement.
- ii) A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority in accordance with the permitted landscape proposals.
- iii) Installation of attenuation tree pits shall be supervised by the project landscape architect.

3. Green Infrastructure Plan.

The submitted Green Infrastructure Plan and associated pollinator plan contained within the submitted Landscape Design report prepared by Cunnane Stratton Reynolds shall be implemented in full by the applicant.

4. Green Space Factor (Minimum Score Not Achieved).

The applicant has not achieved the appropriate Green Space Factor of 0.5 for the site and is contrary to GI5 Objective 4. In cases where proposed development does not meet the minimum required score and the Council agree that the minimum score is not achievable on the site; the Council will engage with the applicant to help determine an alternative GI solution, to ensure that the proposed development does not detract from the local environment and makes a positive contribution to local GI provision. Where site-specific constraints do not allow for adequate landscaping features in line with minimum requirements a developer will be permitted to provide alternative GI interventions or

contributions to make up for this shortcoming, see below. Those GI measures ultimately chosen will be dictated by the site-specific context and will be subject to agreement with Council. The applicant shall therefore contact the Public Realm Section to agree alternative GI interventions or contributions to make up for this shortcoming.

5. Landscape Management and Maintenance Plan.

The submitted Landscape Management and Maintenance Plan contained within the submitted Landscape Design Report prepared by Cunnane Stratton Reynolds shall be implemented in full by the applicant.

6. SUDS Management and Maintenance Plan.

The submitted SUDS Management and Maintenance Plan prepared by Ors Engineering Ltd shall be implemented in full by the applicant.

7. Taking in Charge.

All areas proposed for taking in charge shall be to a taking in charge standard that ensures ease of maintenance. A taking in charge drawing shall be submitted to SDCC, clearly identifying what sections if any are proposed to be taken in charge by SDCC. If a management company is taking in charge public open space the management company's details shall be submitted with the written confirmation and a detailed drawing.

8. SUDS IMPLEMENTATION.

Prior to the occupation of the buildings the submitted SuDS scheme shall be implemented within a timescale to be agreed and approved by the Planning Authority and thereafter managed and maintained in accordance with the approved details and submitted management and maintenance plan.

REASON: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies with the South Dublin County Development Plan CDP 2022-2028. To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area. To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies within the South Dublin County Development Plan CDP 2022-2028.

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 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. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €448,074.12 (four hundred and forty eight thousand, seventy four Euros and twelve 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](mailto: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: 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.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014 the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

*Pamela Hughes* 18-Nov-2022  
for Senior Planner

## NOTES

### **(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION**

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

### **(A) APPEALS**

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
  2. The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
  3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
  4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
  5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
  6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
  7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
    - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made.  
where the application relates to unauthorised development ..... €4,500.00 or €9,000 if an E.I.A.R. is involved
    - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made.  
other than an appeal mentioned at (a)..... €1,500.00 or €3,000.00 if an E.I.A.R. is involved
    - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b) ..... €660.00
    - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) ..... €220.00
    - (e) Application for leave to appeal ..... €110.00
    - (f) Appeal following a grant of leave to appeal ..... €110.00
    - (g) Referral ..... €220.00
    - (h) Reduced fee (payable by specified bodies) ..... €110.00
    - (i) Submission or observations (by observer) ..... €50.00
    - (j) Request from a party for an Oral Hearing ..... €50.00


If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at

Telephone 01-858 8100

## Appendix 2

Letter from SDCC confirming payment of development contribution relating to First Floor area:

01 AUG 2008

  
Cearnaidín Éireann  
An tArd-Fhear  
South Dublin County Council

Connected You to  
Bonds & Contributions, Planning Department  
Telephone: 01 414 9000 Fax: 01 414 9100  
Email: [info@sdcc.ie](mailto:info@sdcc.ie)

O'Donnell Sweeney Eversheds  
One Earlsfort Centre  
Earlsfort Terrace  
Dublin 2

29<sup>th</sup> July 2008

Our Ref: SCN 1536

Y/Ref: SJK/kg/16956.184

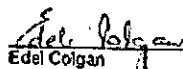
Re: Dunnes Stores Limited,  
Kilnamanagh Shopping Centre, Mayberry Road, Dublin 24

Planning Permission Register Reference S00A/0873

Dear Sir/Madam,

Further to your recent query, I wish to confirm that condition numbers 12 & 13 granted under Planning Register Reference S00A/0873 which required the payment of financial contributions have been complied with in respect of the above named unit.

Yours faithfully,

  
Edel Colgan  
Senior Staff Officer  
Bonds & Contributions Section  
Planning Department

For further information on Planning  
see the Council's website  
[www.southdublin.ie](http://www.southdublin.ie)

South Dublin County Council,  
County Hall, Talbot,  
Dublin 24

Tel: +353 1 414 9000  
815, 826 03 1707  
Email: [info@sdcc.ie](mailto:info@sdcc.ie)

Contact us 'Connected 24/7'  
with Council information and  
services at [www.southdublin.ie](http://www.southdublin.ie)

P/0034/2001

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

Register Reference: S00A/0873      App. Date: 20/12/00

Submission:                      Dated:

### Correspondence

Name and Address      Oppermann Associates  
The Black Church,  
St Mary's Place,  
Dublin 7.

Development                      (a) Demolition of part of existing shopping centre. (b)  
New  
construction to include 2 no. new retail units.  
Reconstruction of existing shopping centre in new  
configuration and new first floor offices. (c) Elevational  
alteration to include new external cladding, new entrances  
and signage. (d) Reconfigured car-parking including new  
car-parking deck to northern boundary.

Location                              Kilnamanagh Shopping Centre, Mayberry Rd, D.24

Applicant                              Dunnes Stores Ltd

App. Type                              Permission

### Zoning

An inspection carried out on 08/01/01 has shown that a site notice was not erected on the site of the proposed development as required by Article 16(5) of the Local Government (Planning and Development) Regulations, 1994.

I recommend therefore that in accordance with Article 17(2) of the Local Government (Planning and Development) Regulations, 1994 the applicant be required to, erect a Notice on the site, and to submit to the Council:-

(a) two copies of the text of the Notice



# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

REG. REF. S00A/0873

LOCATION Kilnamanagh Shopping Centre, Mayberry Rd, D.24

- (b) two plans showing the position of the notice on the land or structure
- (c) a statement of the date on which the notice is erected

and that no further consideration be given to this application until the applicant complies with these requirements.

*Donal S.E.O. 9<sup>th</sup> Jan 2001*  
.....  
For County Planning Officer

Endorsed:.....  
*May Kelly*  
Administrative Officer  
*for*

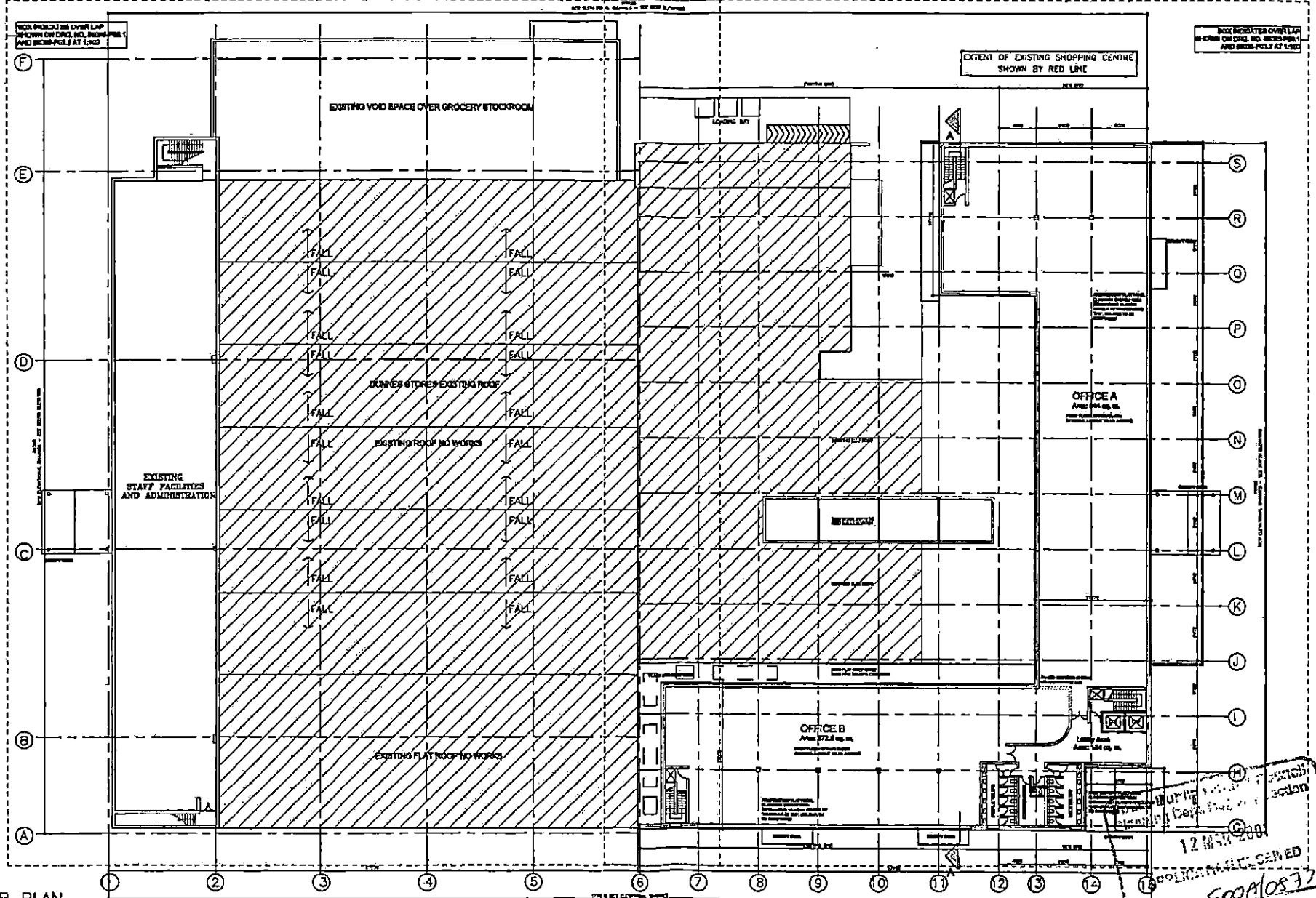
ORDER: Applicant is to be notified of the requirements set out in the above report, and no further consideration is to be given to the application until the applicant complies with these requirements.

Dated:

*9/1/2001*  
.....

*[Signature]*  
.....  
~~Deputy County Manager~~

*Senior Administrative Officer*



FIRST FLOOR PLAN

NOTES:

NO.	DATE	BY	DESCRIPTION

**oppermann**

The Staff Office, 10, North Quay, Dublin 2, Tel: (01) 454 2222 Fax: (01) 454 2223 Email: info@oppermann.com

Client: **DUNN'S STORES (KILNAMARNOCH) LTD. & TALLAGHT SHOPPING CENTRE LTD.**

Project: **KILNAMARNOCH SHOPPING CENTRE**

Drawn: **FIRST FLOOR PLAN**

Scale: **1/8" = 1'-0"**

Sheet: **P-13** of **A**

Date: **18 12 2000**

Author: **PLANNING**

Check: **EX2001**

Drawn by: **500/1087**

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proposal.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

CONTRIBUTIONS	£	£
Public Services	15,790	20,049
Roads	41,076	52,155
Open Space		
Env. Services		
Other		
SECURITY		
Bond/CIF		
Cash		
TREE BOND		

Register Reference: S00A/0873 App. Date: 20/12/00

Submission: Site Notice Dated: 17/01/2001

Correspondence  
 Name and Address Oppermann Associates  
 The Black Church,  
 St Mary's Place,  
 Dublin 7.

Development (a) Demolition of part of existing shopping centre. (b) New construction to include 2 no. new retail units. Reconstruction of existing shopping centre in new configuration and new first floor offices. (c) Elevational alterations to include new external cladding, new entrances and signage. (d) Reconfigured car-parking.

Location Kilnamanagh Shopping Centre, Mayberry Rd, D.24

Applicant Dunnes Stores Ltd

App. Type Permission

Zoning

Report of County Planning Officer dated 15/03/01

(AH/AG)

PROPOSAL

The proposal is for the refurbishment and extension of the existing shopping centre at Kilnamanagh. The proposal includes for the demolition of existing units at the northern end of the site which are mostly unlet and generally in poor condition. The proposal includes for the reconstruction and reconfiguration of the existing retail area. The applicant proposes to provide two additional external units 1 and 2 and an additional external unit 4 to substantially replace the retail area to be demolished. The

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

REG. REF.S00A/0873

LOCATION Kilnamanagh Shopping Centre, Mayberry Rd, D.24

applicant also shows a substantial office component to the proposed development. This area is located at first floor level over the existing and proposed retail area at ground floor level to the rear of the site. The net increase in retail floor area is 248sq. metres. The office component of the proposed development is approx. 1708sq. metres.

The original proposal included for the provision of a raised car parking deck. This car parking deck was omitted in an Unsolicited Additional Information submission dated the 26th February 2001. As part of this submission the applicant reduced the floor area of the proposed development in order to reduce the car parking requirement. The total reduction in floor area was approximately 650sq. metres. The floor areas of the development as proposed subsequent to the reduction in floor area is as stated above. Amended public notices received.

Unsolicited Additional Information received on the 12th March 2001 showing clearly the areas to be demolished and showing also the extent of the proposed development.

On the eastern elevation the application shows a facade at first floor level over the existing retail area. There are no internal works or additional floor area at this location. A letter confirming this was lodged as Unsolicited Additional Information on the 14th March 2001.

### ZONING

The site is zoned "DC", "to protect, provide for and/or improve District Centre facilities".

### REPORTS

Environmental Services Department: No objection subject to conditions.

Roads Department: No objection.

Environmental Health Officer: No report to date.

### OBSERVATIONS

A letter of objection signed by 10 residents of Treepark Drive has been lodged. This referred to the following:-

- the negative visual impact of the two tier car park;
- antisocial behaviour and litter which they feel the development will encourage. Overlooking from the car park and blockage of light caused by same;
- the possibility of an off licence opening in one of the retail units.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

REG. REF.S00A/0873

LOCATION Kilnamanagh Shopping Centre, Mayberry Rd, D.24

Two additional letters referred to the above but also included the following:-

- the proposed offices on the east side of Dunes will cause overlooking of houses at Birchview and will lead to additional traffic coming into Kilnamanagh;
- the proposed development will be dangerous for children who walk along the wall at the boundary of the site due to the removal of the grass verge;
- traffic will rise to an unacceptable level;
- the noise which will result from the loading bay in its present position. This problem will be increased as the loading bay are increased in size.

### ASSESSMENT

- It is considered desirable that the existing Shopping Centre be redeveloped. The site is currently under utilised and many of the units are not let.
- The Roads Department note the extent of office development proposed. Given the amount of office space proposed, the Roads Department are concerned regarding the car parking provision. However, the report notes that the site is within comfortable walking distance of the proposed Luas line as well as the bus routes on the Greenhills and Belgard Road.
- A detailed landscape plan and boundary treatment plan to be required by condition.
- It is noted that the proposed car parking deck has been omitted from the development in Unsolicited Additional Information submission dated the 26th February 2001.
- It is considered that the proposed development is acceptable in principle and will not be detrimental to the residential amenity of adjoining properties.

I recommend that a decision be made to Grant Permission under the Local Government (Planning and Development) Acts, 1963 - 1999, subject to the following (13) conditions.

### Conditions and Reasons

- 1 The development to be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application and in accordance with

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

REG. REF.S00A/0873

LOCATION Kilnamanagh Shopping Centre, Mayberry Rd, D.24

11/1/2001

*NIL*

Unsolicited Additional Information lodged on the 26/02/2001, 12/03/2001 and 14/03/2001, 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 The floor areas of the proposed development shall be as per floorplans lodged with the Planning Authority on the 26/02/2001.

REASON:

In order to clarify the permission.

- 3 The retail units shall not operate as a takeaway or restaurant save with the ~~prior~~ prior approval of the Planning Authority *on Bord Pleanála on appeal*.

*M. Keely*

REASON:

In order to clarify the permission.

- 4 The offices shall remain as separate units and shall not be amalgamated.

REASON:

In the interests of the proper planning and development of the area.

- 5 Prior to the commencement of development the applicant shall agree with the Planning Authority landscape treatment to the boundary of the site.

REASON:

In the interests of the proper planning and development of the area.

- 6 That prior to commencement of development the requirements of the Principal Environmental Health Officer be ascertained and strictly adhered to in the development.

REASON:

In the interest of health.

- 7 That no advertising sign or structure be erected except those which are exempted development or which forms part of the current proposal, without prior approval of Planning Authority or An Bord Pleanála on appeal.

REASON:

In the interest of the proper planning and development of the area.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

REG. REF.S00A/0873

LOCATION Kilnamanagh Shopping Centre, Mayberry Rd, D:24

- 8 That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the South Dublin County Council.
- (a) Foul and Surface Water Drainage
- No building shall be erected within 5 metres of a public sewer or any sewer with the potential to be taken in charge.
  - The applicant shall ensure full and complete separation of foul and surface water systems. Drains which run under proposed buildings shall comply with the Building Regulations 1997 Technical Guidance Document H (Drainage and Waste Water Disposal).
  - All pipes shall be laid with a minimum cover of 1.2m in roads, footpaths and driveways and 0.9m in open space. Where it is not possible to achieve these minimum covers, pipes shall be bedded and surrounded in C20 concrete 150mm thick.
  - All waste water from commercial, industrial or institutional kitchens be routed via an appropriate grease trap or grease removal system before being discharged to the public sewer.
  - All surface water runoff from car parking/ marshalling areas shall be routed via a petrol/oil/ diesel interceptor before discharging to the public sewer.
- (b) Watersupply
- The applicant shall submit full details of the proposed watermain layout for the approval of the Water Services Engineer at the Council's Deansrath Depot prior to the commencement of the proposed development. The details to be submitted shall include pipe sizes, pipe class, pipe route, location of sluice valves, scour mains (if applicable), air valves, hydrants and the point of the proposed connection to the existing supplying watermains.
  - The layout and the provision of the proposed watermain shall comply with Part B of the 1997 Building Regulations Technical Guidance Documents.
  - No building shall be erected within 5 metres of a public watermain or any watermain with the potential to be taken in charge.

REASON:

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

REG. REF. S00A/0873

LOCATION Kilnamanagh Shopping Centre, Mayberry Rd, D.24

In order to comply with the Sanitary Services Acts, 1878 - 1964.

- 9 The carparking provision shall be as per details lodged with the Planning Authority on the 26/02/2001.

REASON:

In the interests of orderly development.

- 10 That all public services to the proposed development, including electrical, telephone cables and equipment be located underground throughout the entire site.

REASON:

In the interest of amenity.

- 11 Prior to the commencement of development on the site the applicant shall submit full details of materials and finishes together with a colour scheme.

REASON:

In the interest of visual amenity.

- 12 That a financial contribution in the sum of £15,790 (Fifteen Thousand Seven Hundred and Ninety Pounds) EUR 20,049 (Twenty Thousand and Forty Nine Euros) be paid by the proposer to South Dublin County Council towards the cost of provision of public services in the area of the proposed development and which facilitate this development; this contribution to be paid before the commencement of development on the site.

REASON:

The provision of such services in the area by the Council will facilitate the proposed development. It is considered reasonable that the developer should contribute towards the cost of providing the services. *ES*

- 13 That a financial contribution in the sum of £41,076 (Forty One Thousand and Seventy Six Pounds) EUR 52,155 (Fifty Two Thousand and One Hundred and Fifty Five Euros) shall be paid by the proposer to South Dublin County Council towards the cost of roads improvements and traffic management in the area of the proposed development and which facilitates this development; this contribution to be paid before the commencement of development on the site. *ES*

REASON:

It is considered reasonable that the developer should contribute towards the expenditure that was incurred and/or that is proposed to be incurred by the Council on road



# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

REG. REF. S00A/0873

LOCATION Kilnamanagh Shopping Centre, Mayberry Rd, D.24

improvement works and traffic management schemes  
facilitating the proposed development.

*M. Kelly*

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Orders

REG. REF.S00A/0873

LOCATION Kilnamanagh Shopping Centre, Mayberry Rd, D.24

*A. Hyland* 15/3/01  
.....  
for County Planning Officer

Endorsed: *[Signature]*  
.....  
Senior Administrative Officer

*May Kelly*

ORDER: A decision pursuant to Section 26(1) of the Local Government (Planning and Development) Act 1963 to Grant Permission for the above proposal subject to the (13) conditions set out above is hereby made.

Dated:

*16/3/2001*

*[Signature]*  
.....  
Deputy County Manager

### Appendix 3

Operating Unit	DS ROI BUSINESS GROU	Payee	
Number	115910	Paid To Name	SOUTH DUBLIN COUNTY COUNCIL
Currency	EUR	Taxpayer ID	
Amount	66,208.14	Supplier Number	104427
Date	17-AUG-2007	Site	EUR DUB CAPT
Payment Process Request	Quick Payment ID=6098	Address	BOX 4122 TALLAGHT TOWN CENTRE DUBLIN 24,
Voucher		Bank	
Status	Reconciled	Name	BANK OF IRELAND
Cleared Amount	66,208.00	Account	CENTRAL PAYMENTS EURO A/C
Cleared Date	04-SEP-2007	Payment Document	EUR Cheque
Void Date		Payment Method	Check
Maturity Date		Payment Process Profile	

**Invoices**

Number	Amount Paid	GL Date	Description
1048290	66,208.14	17-AUG-2007	1048290

Invoice Overview	Bank	Supplier	Payments
------------------	------	----------	----------

*Payment By  
Dunnes Stores*

**Land Use, Planning &  
Transportation Department**  
**An Rannóg Talamhúsáide,  
Pleanála agus Iompair**  
Telephone: 01 4149000  
Email: [planningdept@sdublincoco.ie](mailto:planningdept@sdublincoco.ie)

**FAO: Tony Bamford,  
Airport Hub,  
Furry Park,  
Swords Road,  
Santry,  
Dublin 9**

12<sup>th</sup> December 2022

**Planning Permission Register References: SD06A/0095 & SD06A/0850**

**Location: Dunnes Stores, Kilnamanagh, Tallaght, Dublin 24**

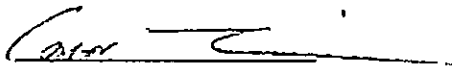
Dear Sir/Madam,

I wish to confirm that condition number 6 granted under Planning Permission Register Reference **SD06A/0095** which required the payment of Financial Contributions has been complied with in respect of the above-named location.

I wish to confirm that condition number 5 granted under Planning Permission Register Reference **SD06A/0850** which required the payment of Financial Contributions has been complied with in respect of the above-named location.

For further queries please contact [compliancerequests@sdublincoco.ie](mailto:compliancerequests@sdublincoco.ie)

Yours sincerely,



**Conor Tiernan  
Senior Staff Officer  
Bonds and Contributions  
Planning Department**

SOUTH DUBLIN COUNTY COUNCIL  
COMHAIRLE CONTAE AETHA DUBLHA TIEAS

Halla an Chontae, Lár an Bhaile,  
Tamhlacht, Baile Átha Cliath 24.

Telefon: 01-414 9000  
Facs: 01-414 9104  
[www.sdublincoco.ie](http://www.sdublincoco.ie)



PLANNING DEPARTMENT  
County Hall, Town Centre,  
Tallaght, Dublin 24.

Telephone: 01-414 9000  
Fax: 01-414 9104  
[www.sdublincoco.ie](http://www.sdublincoco.ie)

Kavanagh Tuite  
9, Terminus Mills  
Clonskeagh  
Dublin 6

**NOTIFICATION TO GRANT PERMISSION  
PLANNING & DEVELOPMENT ACT, 2000 AND PLANNING REGULATIONS  
THEREUNDER**

Final Grant Order No.:	2730	Date of Final Grant:	12-Dec-2006
Decision Order No.:	2427	Date of Decision:	01-Nov-2006
Register Reference:	SD06A/0095	Date:	05-Oct-2006

**Applicant:** Dunnes Stores Ltd.  
**Development:** (1) Change of use of existing first floor offices, 1528sq.m., and ground floor entrance hall, 118sq.m., to retail use; (2) minor alterations to north, east and west elevations; (3) 28no. additional carparking spaces.  
**Location:** Kilnamanagh Shopping Centre, Mayberry Road, Dublin 24.

**Time extension(s) up to and including**  
**Additional Information Requested/Received** 07-Apr-2006 / 05-Oct-2006

A Permission has been granted for the development described above, subject to the following (6) conditions.

**Conditions and Reasons:**

1. The development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 05/10/06, 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. The water supply and drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Planning Authority.  
**REASON:** In the interests of public health and in order to ensure adequate drainage provision.
3. The net convenience and comparison retail sales area shall have a maximum floor area as detailed in the Retail Impact Statement as prepared by Tom Phillips & Associates, Town Planning Consultants and received by the Planning Authority on the 05/10/06.  
**REASON:** In the interests clarity and the proper planning and sustainable development.
4. This permission relates solely to the development as stated in the public site notices.

SOUTH DUBLIN COUNTY COUNCIL  
COMHAIRLE CONTAE ATHA CLATHA T-HEAS

Halla an Chónaite, Lár an Bhaile,  
Tamlachtaí, Baile Átha Cliath 24.

Telefon: 01-414 9000  
Facs: 01-414 9104  
www.sdblincoco.ie



PLANNING DEPARTMENT  
County Hall, Town Centre,  
Tallaght, Dublin 24.

Telephone: 01-414 9000  
Fax: 01-414 9104  
www.sdblincoco.ie

REASON: In the interests of clarity.

5. An extra 28 car parking spaces shall be provided as per the plans submitted to the Planning Authority.

REASON: In the interest of traffic management and the proper planning and sustainable development of the area.

6. The developer shall pay the sum of €66,208.14 (sixty six thousand two hundred and eight euro and fourteen cent) (updated at the time of payment in accordance with changes in the Tender Price Index) to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of the County Council as provided for in the Contribution Scheme for the County made by the Council. This contribution to be paid before the commencement of development on the site.


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 1: The applicant / developer is advised that under the provision of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

Note 2: The applicant / developer is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. A copy of the Commencement Notice is attached.
- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325: Code of Practice for use of Masonry Part 1 : Structural use of reinforced Masonry. The Owner must also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

.....  ..... 13-Dec-2006  
for SENIOR EXECUTIVE OFFICER.

# Appendix 4

Operating Unit	DS ROI BUSINESS GRO	Payee	
Number	119619	Paid To Name	SOUTH DUBLIN COUNTY COUNCIL
Currency	EUR	Taxpayer ID	
Amount	80,810.49	Supplier Number	104427
Date	23-OCT-2007	Site	EUR DUB CAPI
Payment Process Request	Quick Payment ID=62654	Address	BOX 4122 TALLAGHT TOWN CENTRE DUBLIN 24.
Voucher		Bank	
Status	Reconciled	Name	BANK OF IRELAND
Cleared Amount	80,810.00	Account	CENTRAL PAYMENTS EURO A/C
Cleared Date	31-OCT-2007	Payment Document	EUR Cheque
Void Date		Payment Method	Check
Maturity Date		Payment Process Profile	

## Invoices

Number	Amount Paid	GL Date	Description
1035951	80,810.49	23-OCT-2007	1035951

Invoice Overview	Bank	Supplier	Payments
------------------	------	----------	----------

*Payment By  
Dunnes Stores*

**Land Use, Planning &  
Transportation Department**  
An Rannóg Talamhúsáide,  
Pleanála agus Iompair  
Telephone: 01 4149000  
Email: [planningdept@sdublincoco.ie](mailto:planningdept@sdublincoco.ie)

**FAO: Tony Bamford,  
Airport Hub,  
Furry Park,  
Swords Road,  
Santry,  
Dublin 9**

12<sup>th</sup> December 2022

**Planning Permission Register References: SD06A/0095 & SD06A/0850**

**Location: Dunnes Stores, Kilnamanagh, Tallaght, Dublin 24**

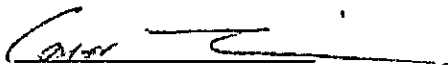
Dear Sir/Madam,

I wish to confirm that condition number 6 granted under Planning Permission Register Reference **SD06A/0095** which required the payment of Financial Contributions has been complied with in respect of the above-named location.

I wish to confirm that condition number 5 granted under Planning Permission Register Reference **SD06A/0850** which required the payment of Financial Contributions has been complied with in respect of the above-named location.

For further queries please contact [compliancerequests@sdublincoco.ie](mailto:compliancerequests@sdublincoco.ie)

Yours sincerely,



**Conor Tiernan  
Senior Staff Officer  
Bonds and Contributions  
Planning Department**



Halla an Chiontae, Tamhlacht,  
 Baile Atha Cliath 24,  
 Telefon: 01-4149000  
 Facs: 01-414 0102  
 For SMS queries text "ccounter" &  
 your message to 086 1731707



Planúil  
 Coun

Telephor  
 Fax

Email: [ccounter](mailto:ccounter)  
 On-line: [www](http://www)

Tom Phillips & Associates  
 The Chancery  
 3-10, Chancery Lane  
 Dublin 8.

**NOTIFICATION TO GRANT PERMISSION FOR RETENTION  
 PLANNING & DEVELOPMENT ACT, 2000 AND PLANNING REGULATIONS  
 THEREUNDER**

Final Grant Order No.:	0107	Date of Final Grant:	19-Jan-2007
Decision Order No.:	2620	Date of Decision:	28-Nov-2006
Register Reference:	SD06A/0850	Date:	04-Oct-2006

**Applicant:** Dunnes Stores Limited,  
**Development:** Retention of additions to and the change of use of parts of the shopping centre including alterations to the previously permitted redevelopment scheme (Reg Ref S00A/0873) comprising: the ad of 567 sq m to the grocery stockroom area of the anchor store at floor level (of which some 382 sq.m predated but was not shown plans and particulars forming Reg Ref S00A/0873); the addition 543 sq.m to the storage area of the anchor store at 2 no. new mezzanine levels; the change of 149 sq.m gross unit shop conveyance to unit shop non-retail service use, 139 sq m grocery stock use to anchor convenience use, 26 sq. m unit shop circulation use anchor comparison use at ground floor level; minor extension to entrance lobbies and a fire escape door; associated alterations consisting of 2 no. new exit doors on the northern elevation and reduction of the building footprint on part of the western elevation resulting in an overall reduction of 16 sq.m to what was original permitted. The total mall floorspace of the shopping centre is 11, sq.m

**Location:** Kilnamanagh Shopping Centre, Mayberry Road, Dublin 24

**Time extension(s) up to and including**  
**Additional Information Requested/Received** / 03-Nov-2006

A Permission has been granted for the development described above, subject to the following conditions.

**Conditions and Reasons:**

1. The development shall be retained and carried out in its entirety in accordance with the particulars and specifications lodged with the application, and as amended by unsolicited

Halla an Chontae, Tamhlacht,  
Balle Átha Cliath 24,  
Telefon: 01-4149000  
Facs: 01-414 0102  
For SMS queries text "ccounter" &  
your message to 086 1731707



Planning  
County

Telephone  
Fax

Email: [ccounter@](mailto:ccounter@)  
On-line: [www](http://www)

Further Information received on 03/11/06, save as may be required by the other condition attached hereto.

REASON: To ensure that the development shall be in accordance with the permission, an effective control be maintained.

2. This permission relates solely to the development as stated in the public site notices and a revised by the unsolicited information received by the Planning Authority on the 03/11/06  
REASON: In the interests of clarity.

3. Apart from the departures authorised by this permission, the proposed development shall strictly comply with the terms and conditions of the previous permissions on this site, S00A/0873, SD02A/0170, SD02A/0495 and SD06A/0095.

REASON: In the interest of clarity and the proper planning and sustainable development of the area.

4. The water supply and drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Planning Authority.

REASON: In the interests of public health and in order to ensure adequate drainage provision.

5. The developer shall pay the sum of €80,810.49 (eighty thousand eight hundred and ten euro and forty nine cent) (updated to the appropriate rate at the commencement of development in accordance with changes in the Tender Price Index) to South Dublin County Council as a contribution towards expenditure 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 County Council as provided for in the Contribution Scheme for the County made by the Council. This contribution to be paid before the commencement of development on the site.

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; that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

- (1) All buildings must be designed and constructed in accordance with the Building Regulations 1997.
- (2) Building Control Regulations require a Commencement Notice. A copy of the Commencement Notice is attached.

SOUTH DUBLIN COUNTY COUNCIL  
COMHAIIRLE CONTAE ÁTHA CLIATH THEAS

Halla an Chontae, Tamhlácht,  
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Telefón: 01-4149000  
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Plannán  
Count

Telefón  
Fax

Email: [ccounter@](mailto:ccounter@)  
On-line: [www](http://www).

- (3) A Fire Safety Certificate must be obtained from the Building Control Authority, where applicable.
- (4) Free Standing Walls must be designed and constructed in accordance with IS 325; Cod Practice for use of Masonry Part 1 : Structural use of reinforced Masonry. The Owner also ensure that the construction of all walls is supervised by a competent person.

Signed on behalf of South Dublin County Council.

..... *A. Leary* ..... 22-Jan-2007  
for SENIOR EXECUTIVE OFFICER.

**Comhairle Chontae Atha Cliath Theas**

**Record of Executive Business and Manager's Order**

**Reg. Reference:** SD06A/0850  
**Submission Type:** New Application

**Application Date:** 04-Oct-2006  
**Registration Date:** 04-Oct-2006

**Correspondence Name and Address:**

Tom Philips & Associates The Chancery, 3-10,  
 Chancery Lane, Dublin 8.

**Proposed Development:**

Retention of additions to and the change of use of parts of the shopping centre including alterations to the previously permitted redevelopment scheme (Reg Ref S00A/0873) comprising: the addition of 567 sq m to the grocery stockroom area of the anchor store at first floor level (of which some 382 sq.m predated but was not shown in the plans and particulars forming Reg Ref S00A/0873); the addition of 543 sq.m to the storage area of the anchor store at 2 no. new mezzanine levels; the change of 149 sq.m gross unit shop convenience use to unit shop non-retail service use, 139 sq.m grocery stockroom use to anchor convenience use, 26 sq.m unit shop circulation use to anchor comparison use at ground floor level; minor extension to three entrance lobbies and a fire escape door; associated alterations consisting of 2 no. new exit doors on the northern elevation and reduction of the building footprint on part of the western elevation resulting in an overall reduction of 16 sq.m to what was original permitted. The total mall floorspace of the shopping centre is 11,791 sq.m

**Location:**

Kilnamanagh Shopping Centre, Mayberry Road,  
 Dublin 24

**Applicant Name:**

Dunnes Stores Limited,

**Application Type:**

Retention

(KMcC/ SOD)

**Description of Site and Surroundings**

	€
Financial Contribution	80,810.40
SECURITY	
Bond/CIF	
Cash	
TREE BOND	

85

# Comhairle Chontae Atha Cliath Theas

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## Record of Executive Business and Manager's Order

### Site Area:

The site has a stated area of 2.586ha.

### Site Description:

Kilnamanagh Shopping Centre is located at the southern edge of the Kilnamanagh housing estate. The site is bounded by the Treepark ring road to east and west and by the Mayberry to south.

The Shopping Centre has a stated floor area of 11,791 sq. metres. It incorporates a Dunnes Stores superstore and a number of smaller retail units.

A recent grant of permission for change of use of the office at first floor to retail use was permitted. The centre is predominantly single-storey, with some office and staff facilities at first floor. There is dedicated surface car parking surrounding the building.

### Proposal:

Permission is sought for retention of additions to and the change of use of parts of the shopping centre including alterations to the previously permitted redevelopment scheme (Reg Ref S00A/0873) comprising: the addition of 567 sq. m to the grocery stockroom area of the anchor store at first floor level (of which some 382 sq. m predated but was not shown in the plans and particulars forming Reg Ref S00A/0873); the addition of 543 sq. m to the storage area of the anchor store at 2 no. new mezzanine levels; the change of 149 sq. m gross unit shop convenience use to unit shop non-retail service use, 139 sq. m grocery stockroom use to anchor convenience use, 26 sq. m unit shop circulation use to anchor comparison use at ground floor level; minor extension to three entrance lobbies and a fire escape door; associated alterations consisting of 2 no. new exit doors on the northern elevation and reduction of the building footprint on part of the western elevation resulting in an overall reduction of 16 sq. m to what was originally permitted. The total mall floorspace of the shopping centre is 11,791 sq. m.

### Zoning:

Zoning Objective 'DC' 'To protect, provide for and/or improve District Centre facilities'. Major Sales Outlets are permitted in principal within the DC zoning.

### Consultations:

Roads Department – No objections

Environmental Services Department – No impacts

Parks Department – No impacts

# **Comhairle Chontae Atha Cliath Theas**

## **Record of Executive Business and Manager's Order**

### **Submissions/Observations/Representations:**

None traced.

### **Relevant Planning History:**

SD06A/0095: Dunnes Stores granted planning permission for change of use of existing first floor offices and ground floor entrance hall to retail use and for minor alterations to elevations and car parking.

SD02A/0495: Dunnes Stores granted permission for (A) Relocation of existing internally illuminated centre sign on south elevation; (B) New internally illuminated 'Totem Pole' sign to existing southern boundary; (C) Relocation of previously approved external signage to south elevation (plan no: S00A/0873).

SD02A/0170: Dunnes Stores granted permission for elevational alterations to east elevation comprising 2 no. glazed windows at ground floor level

S00A/0873: Dunnes Stores granted permission for (i) demolition of part of existing shopping centre (ii) new construction to include 2 no. retail units (iii) reconfiguration of existing shopping centre and new first floor offices (iv) elevational alterations to include new signage (v) reconfigured car parking.

### **Relevant Enforcement History:**

None traced.

### **Pre-Planning Consultation:**

None

### **Relevant Policy in South Dublin County Council Development Plan (2004-2010):**

#### **■ Chapter 12: Development Control**

12.5.1 Retailing

12.5.3 Shopping Centres

### **Relevant Government Policy:**

#### **■ Retail Planning Guidelines**

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Order

### ▪ Retail Planning Strategy for the GDA

#### Assessment:

The main issues for consideration are the principle of the retention of and change of use of parts of the shopping centre. In a previous application SD06A/0095, it was apparent that the existing shopping centre contained two new mezzanine storage areas, two new first floor grocery stockroom areas and three areas in which a material change of use had occurred, in addition to minor amendments to the total mall floorspace and northern elevation of the building. Accordingly, retention permission is now being sought to retain these elements of the building.

The subject site of the Dunnes Store shop is at Kilnamanagh Shopping centre, which is designated as a Level 3 Centre (Town and/or District) in the Retail Planning Strategy for the Greater Dublin Area (GDA). The site is also within a District Centre zoning, under the terms of the County Development Plan (CDP), 2004-2010.

The current application is for the retention of 567 sq m to the grocery stockroom area of the anchor store at first floor level (of which some 382 sq m predated but was not shown in the plans and particulars forming Reg Ref S00A/0873). And the addition of 543 sq m to the storage area of the anchor store at 2 no. new mezzanine levels. Also the change of 149 sq m gross unit shop convenience use to unit shop non - retail service use. However, it is noted in the unsolicited information received on the 03/11/06, that 149 sq m unit shop comparison floorspace was inadvertently described. This relates to the floor space of Unit 11 and part of the external floorspace of Unit 4. That space was granted planning permission under Reg. Ref. S00A/0873 as comparison floor space, but in the intervening years was converted from a former comparison retail unit into non-retail service use, namely 'Timepiece' café.

Section 6.3.3 of the CDP 2004-2010, states that "the provision of additional retail floor space should relate to the hierarchy contained in the Retail Planning Strategy and should be of a scale and character compatible with the function of the centres and should maintain the vitality and viability of existing centres while protecting and or improving the amenities of surrounding areas". The proposed retention of c.1,110 sq metre extension has been included in the overall floor space of 11,791.

In the initial application it is believed that planning permission was applied for 11,048sq.m. but that this was reduced to 10,830 sq.m by way of unsolicited information.

Thus the total floor area of the overall Kilmanagh District Shopping centre is 11,791 sq.m.

#### Visual Impact:

No impacts.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Order

### Layout:

No alterations are proposed to the site layout, circulation, loading or access arrangements.

### Drainage:

No drainage impacts.

### Conclusion:

The overall retention of 1,110 sq.m storage area to the anchor store and the change of use of 149 sq.m of shop/comparison retail is acceptable in principle. It is considered that the proposal would not have a significant adverse impact on Tallaght Town Centre.

I recommend that a decision be made pursuant to the Planning & Development Acts 2000-2004, for the reasons set out in the First Schedule hereto, to Grant Permission for Retention for the said development in accordance with the said plans and particulars, subject to the (5) 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 2004-2010 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. The development shall be retained and carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by unsolicited Further Information received on 03/11/06, 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. This permission relates solely to the development as stated in the public site notices and as revised by the unsolicited information received by the Planning Authority on the



# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Manager's Order

03/11/06.

REASON: In the interests of clarity:

3. Apart from the departures authorised by this permission, the proposed development shall strictly comply with the terms and conditions of the previous permissions on this site, S00A/0873, SD02A/0170, SD02A/0495 and SD06A/0095.

REASON: In the interest of clarity and the proper planning and sustainable development of the area.

4. The water supply and drainage infrastructure, including the disposal of surface water, shall comply with the technical requirements of the Planning Authority.

REASON: In the interests of public health and in order to ensure adequate drainage provision.

5. The developer shall pay the sum of €80,810.49 (eighty thousand eight hundred and ten euro and forty nine cent) (updated to the appropriate rate at the commencement of development in accordance with changes in the Tender Price Index) to South Dublin County Council as a contribution towards expenditure in respect of public infrastructure and facilities benefiting development in the area of the planning authority and that is provided, or that it is intended will be provided, by or on behalf of the County Council as provided for in the Contribution Scheme for the County made by the Council. This contribution to be paid before the commencement of development on the site.

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.

The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 a person shall not be entitled solely by reason of a permission to carry out any development.

**Comhairle Chontae Atha Cliath Theas**

**Record of Executive Business and Manager's Order**

**REG. REF. SD06A/0850**

**LOCATION: Kilnamanagh Shopping Centre, Mayberry Road, Dublin 24**

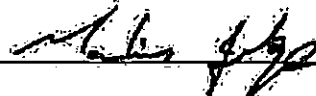


**Louise Mc Gauran**  
**Senior Executive Planner**

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000 to Grant Permission for 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.

**Dated:**

28 Nov 2006



**Martin Judge, Senior Executive Officer**