

Comhairle Chontae Atha Cliath Theas

PR/0027/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0416 **Application Date:** 04-Nov-2022
Submission Type: New Application **Registration Date:** 04-Nov-2022
Correspondence Name and Address: SDS Design Engineers Unit 9, N5 Business Park,
Castlebar, Co. Mayo
Proposed Development: The development will consist of modifications to the
ground floor layout and shop facade and will include
for: a) The extension of the existing store with a total
increased area of 95.91sqm. b) The removal of the
existing entrance/exit pod. c) The removal of the
existing trolley bay. d) Proposed free-standing trolley
bay. e) Proposed accommodation works to store
elevation. f) Accommodation works to car park area.
g) All ancillary works required to complete to the
required Building Regulation standards.
Location: Old Court Road, Firhouse, Dublin 24
Applicant Name: Lidl Ireland GmbH
Application Type: Permission

(AOCM)

Description of Site and Surroundings:

Site Area: stated as 0.895 hectares.

Site Description:

The application site is located at the junction of Oldcourt Road and Beechdale Road, Firhouse. The site contains a Lidl supermarket, with associated car parking. The site is bounded by existing residential developments; three storey apartment blocks and two storey semi-detached houses of Beechdale are located to the west and north of the site, with three storey apartment blocks of Hunterwood located to the east.

Site Visited: 28 November 2022

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Proposal:

Permission is sought for the following:

- Modifications to ground floor layout and shop façade including:
 - Increase in store area by 95.91 sq.m
 - Removal of existing entrance/exit pod
 - Removal of existing trolley bay
 - Provision of a free-standing trolley bay
 - Works to store elevation
 - Works to car park area
 - All ancillary works

Zoning:

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

Consultations:

Roads:	No objection
Parks:	No comments or conditions to add
Water Services:	No objection, conditions recommended
Irish Water:	No objection, conditions recommended
Environmental Health Officer (EHO):	No response received

SEA Sensitivity Screening

Indicates no overlap with relevant environmental layers.

Submissions/Observations /Representations

Submission expiry date – 8 December 2022

No submissions or observations were received.

Relevant Planning History

SD15A/0009: Extension of 270sq.m to existing supermarket (with ancillary off licence), with total gross floor area increasing from 1.496sq.m to 1,766sq.m (the net retail floor area will increase from 1,069sq.m to 1,273sq.m); a new pedestrian access onto Beechdale Place is also proposed and will remove one parking space (88 now proposed); permission is also sought for landscaping and associated site and development works. **Permission granted**

SD12A/0796: Construction of a single storey mono-pitched discount foodstore with ancillary off license use measuring 1842sq.m. gross floor area with a total net retail sales area of 1329sq.m; provision of all associated signage; upgrading of the existing site entrance for vehicular and pedestrian access along Beechdale Road to the proposed development; provision of new boundary treatments; connections to all existing drainage and water services; all associated and

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ancillary site works and provision of 101 car parking spaces. **Permission granted – upheld by ABP following third party appeal**

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None recorded for subject site.

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

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GI1 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Section 9.5.6 Local Centres

Policy EDE14: Retail - Local Centres

Maintain and enhance the retailing function of Local Centres.

EDE14 Objective 1: To support the development and enhancement of local centres as sustainable, multifaceted, retail led mixed use centres, enhancing local access to daily retail needs, which do not adversely impact on or draw trade from higher order retail centres.

Chapter 11 Infrastructure and Environmental Services

Section 11.6 Waste Management

Policy IE7: Waste Management

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Implement European Union, National and Regional waste and related environmental policy, legislation, guidance and codes of practice to improve management of material resources and wastes.

IE7 Objective 1: To encourage a just transition from a waste management economy to a green circular economy to enhance employment and increase the value, recovery and recirculation of resources through compliance with the provisions of the Waste Action Plan for a Circular Economy 2020-2025 and to promote the use of, but not limited to, reverse vending machines and deposit return schemes or similar to ensure a wider and varying ways of recycling.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

Section 12.11.3 Waste Management

Relevant Government Guidelines

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

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

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

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021)

Assessment

The main issues for assessment concern the following:

- Zoning and Council Policy
- Visual and Residential Amenity
- Green Infrastructure
- Water Supply and Wastewater
- Appropriate Assessment
- Environmental Impact Assessment

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Zoning and Policy

South Dublin County Development Plan 2022 – 2028

The site is subject to zoning objective 'LC' – *'To protect, improve and provide for the future development of Local Centres.'* Recycling Facility and Shop-Neighbourhood are permitted in principle under the LC zoning objective.

Ballycullen – Oldcourt Local Area Plan (2014) Extended

The site is located within the Ballycullen – Oldcourt LAP area. Provisions are included in the LAP regarding development of a discount foodstore at the site. This application relates to alterations to the constructed and operational discount foodstore. The below provisions of the LAP are of relevance to additional applications at the site:

- *Any further applications for development on the Discount Foodstore/Local Centre Site, including the area reserved for 4 retail units, shall address and front surrounding streets in accordance with the Key Principles on Urban Design set out under the Retail Design Manual (2012). (Objective SSP21)*
- *Any revised development proposals on the Discount Foodstore Site shall be sensitively designed to respond to and incorporate the site's steep topography and elements of heritage value such as the existing hedgerow and any remnants of the former Oldcourt House. Such development shall also incorporate extensive SUDS components. (Objective SSP22)*

Given the nature and scale of the development, it is not considered that there is scope, or a requirement, to address the above objectives. Development at the site is considered to accord with the general principle use of the site, as per the LAP.

Visual and Residential Amenity

The development is to facilitate a Deposit Return Scheme (DRS) recycling facility, allowing customer return plastic beverage bottles to a reverse vending machine in return for vouchers redeemable in the store. This is considered a beneficial use, that would comply with IE7 Objective 1 which seeks to promote the use of reverse vending machines and deposit return schemes.

Ground floor alterations would include provision of a new entrance and a DRS room, infilling an area that is currently underneath the entrance canopy of the building, including an area for trolley storage. The reverse vending machines would locate in the extended entrance area. This would alter the external elevation but would not render it inconsistent with the existing development. These works are therefore considered acceptable.

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A freestanding covered trolley bay would replace a number of car parking spaces immediately to the north of the supermarket. It is not clear how many car parking spaces would be lost to the development however, as there are no minimum car parking rates within the Development Plan, the loss is not considered to be significant. The trolley would be 42 sq.m, glazed, with crash protection railings. The Roads department have reviewed the application and have stated no objection, noting *'the proposed new trolley bay will not have any significant impact on vehicular or pedestrian movement around the carpark.'* Their report does not recommend any conditions. The trolley bay is considered to be acceptable.

Green Infrastructure

The site does not appear to be located within a Core Area, Primary GI Corridor or Secondary GI Link, as per Figure 4.4 of the Development Plan.

The proposed works relate to areas that are already hardstanding and would have no impact on green infrastructure at the site. Water Services have recommended a condition is included requiring the applicant to incorporate SuDS into the proposal. Given the restricted site of the red line boundary, and the works proposed, it is not considered that there is any significant impact to green infrastructure, or scope for improvements on foot of this application.

Water Supply and Wastewater

From a review of Irish Water maps, there appears to be 110mm water distribution main running underneath the area of the proposed works. From a review of the documents provided under SD12A/0032, and the subsequent grant of permission, it appears that this watermain has been relocated internally within the site and that the Irish Water maps appear to be out of date in respect of this.

Irish Water have reviewed the application and have stated no objection subject to compliance with Irish Water standards where relevant. On this basis, the proposal is acceptable and is not considered likely to impact on Irish Water infrastructure in the area.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established edge urban area and comprises alterations to an existing supermarket store.

Having regard to:

- the scale and nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

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Environmental Impact Assessment

Having regard to the nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Other Considerations

Development Contributions

Are any exemptions applicable?	No
Is development commercial or residential?	Commercial
Standard rate applicable to development:	€112.57
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€112.57
Area of Development (m2)	95.91
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	95.91
Total development contribution due	€10,796.58

SEA Monitoring Information

Building Use Type Proposed: Commercial extension
Floor Area: 95.91 sq.m
Land Type: Urban
Site Area: 0.895 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design of the development proposed to be amended it is considered that, subject to **conditions** set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

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FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. Drainage - Irish Water.
 - (a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.
3. Signage.
No advertising sign(s) or structure(s) (including any signs installed to be visible through windows), banners, canopies, flags, or other projecting elements shall be erected except those, which are exempted development, without the prior approval of the Planning Authority or An Bord Pleanála on appeal.
REASON: In the interest of visual amenity, compliance with development plan policies and the proper planning and sustainable development of the area.
4. Financial Contribution.
The developer shall pay to the Planning Authority a financial contribution of €10, 796.58 (Ten Thousand Seven Hundred and Ninety Six Euros and Fifty Eight 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

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

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

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

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

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

NOTE: 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: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.


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REG. REF. SD22A/0416

LOCATION: Old Court Road, Firhouse, Dublin 24



Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 09/01/23_____



Gormla O'Corrain,
Senior Planner