

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0422 **Application Date:** 07-Nov-2022
Submission Type: New Application **Registration Date:** 07-Nov-2022

Correspondence Name and Address: Declan Brassil & Co. Ltd Lincoln House, Phoenix Street, Smithfield, Dublin 7

Proposed Development: Amendments to the residential development permitted under An Bord Pleanála Reference ABP-305556-19 comprising of the omission of a permitted vehicular access ramp from ground to basement level of the existing Citywest Shopping Centre along the southern elevation; The permitted entrance to the ramp is proposed to be replaced at surface level with 5 car parking spaces, with associated amendments to the parking layout, pedestrian paths and landscaping in the immediate vicinity; An increase in the area of a permitted surface to basement level circulation core in the south-eastern corner of the existing Citywest Shopping Centre (to incorporate a lift and revised stairwell design), together with associated amendments to pedestrian paths and landscaping in the immediate vicinity; The relocation of permitted demountable bollards further eastwards along a permitted roadway to the south-east of the Citywest Shopping Centre; The enlargement of a permitted hammerhead circulation area to the south-east of the Citywest Shopping Centre and the provision of a standalone ESB Substation to the south-east of Block D; These amendments are provided to reprove the operational efficiency of the vehicle circulation and parking arrangement to service the permitted apartment buildings and to meet the requirements of ESB to serve the site.

Location: Citywest Shopping Centre, Fortunestown, Dublin 24
Applicant Name: Citywest Drive Limited Partnership
Application Type: Permission

(CS)

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

Description of Site and Surroundings

Site Area: stated as 2.9 Hectares on the application form.

Site Description

The subject site comprises the site of a residential development permitted under ABP Ref. 305556-19 including part of the basement level of the existing Citywest Shopping Centre. The Citywest Shopping Centre and residential development site is located in an urban area that is the subject of ongoing residential and commercial development. Citywest Shopping Centre is located on the junction of the N82 and City West Drive close to the Fortunestown LUAS stop and several bus stops. The site is located to the west of the Magna Business Park and to the south of the Citywest Business Campus. To the north of the Citywest Shopping Centre is the mixed use SHD permission ABP-310570-21 and to the east is the residential development permitted under SHD Ref. ABP-306602-20.

2.1 Site Location and Context (source: google maps)



Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

Proposal

Permission is being sought for the following amendments to permitted SHD ABP-305556-19 consisting of:

- Omission of second additional permitted (ABP 305556-19) vehicular ramp to the rear (southern elevation) and replacement of the permitted vehicular ramp with 5 no. additional car parking spaces at ground/surface level.

<i>Number of car-parking spaces to be provided</i>	Existing: 46 no. parking spaces within the basement of site area permitted for residential units under SHD Reg. ABP-305556-19.	Proposed: 5 no. additional parking spaces within site area for permitted residential units	Total: 5 no. proposed parking spaces
--	---	---	--------------------------------------

- An increase in the area of a permitted surface to basement level circulation core in the south-eastern corner of the existing Citywest Shopping Centre (to incorporate a lift and revised stairwell design).
- The relocation of permitted demountable bollards further eastwards along a permitted roadway to the south-east of the Citywest Shopping Centre.
- The enlargement of a permitted hammerhead circulation area to the south-east of the Citywest Shopping Centre and the provision of a standalone ESB Substation (red brick) to the south-east of Block D.
- All works include for amendments to the parking layout, pedestrian paths and landscaping in the immediate vicinity.

+

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order



Zoning

The site is zoned 'DC' – *"To protect, improve and provide for the future development of District Centres"*.

The subject lands are located within the development boundary of the Fortunestown Local Area Plan 2012 (extended by South Dublin County Council in 2017). However, it is noted that this LAP expired on 9th September 2022.

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

Consultations

Roads Department – No objections.

Surface Water Drainage – no objection subject to **conditions**.

Irish Water – no objection subject to **conditions**.

Parks Department – Grant with **conditions**.

SEA Sensitivity Screening

No overlap identified with relevant environmental layers.

Submissions/Observations /Representations

None received.

Relevant Planning History

ABP-305556-19: Mixed use residential scheme (total GFA 26,929sq.m) comprising 6 blocks with balconies/terraces to be provided on all elevations at all levels for each block, to provide **290 apartment units** and associated residential amenity facilities, a childcare facility, 4 retail units and 2 café/restaurant units. A total of 153 car parking spaces (including 2 car club spaces) are proposed at surface level and existing basement level of the Citywest Shopping Centre to serve the development to include the reallocation of 37 existing surface level spaces; 67 new surface level spaces and the reallocation of 49 spaces from commercial to residential use at existing basement level of the Citywest Shopping Centre.

Decision: **GRANT PERMISSION WITH CONDITIONS.**

SD22A/0299: The development will consist of amendments to the Strategic Housing Development permitted under An Bord Pleanála Reference TA065.305556. The proposed amendments comprise the provision of photovoltaic panels on the roofs of all 6 no. blocks, the provision of roof plant at Blocks A, B, C and D, the provision of an ESB substation at Block O that requires the relocation of no. 1 carparking space, and the reconfiguration of the ground floor of Block E to provide an enlarged plant room. These amendments are necessary to service the permitted blocks, improve the energy efficiency of the development, and to meet the requirements of ESB to serve the site. At Block A it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows; and a screen plant area accommodating an internal plant room of 13.24 sqm and an external plant area of 34.72 sqm surrounded. The proposed screened plant rises approx. 1 metre above the permitted lift overruns. At Block B it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows on the 5-storey section of the permitted building; a red brick internal plant room of 10.3 sqm on the 4-storey section of the building; and a screened external plant area of 29.2 sqm on the 4-storey section of the building. The proposed roof plant rises approx. 1 metre above the permitted lift over run. At Block C it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows on the 6-storey section of the permitted building; a red brick internal plant room of 10.3 sqm on the 5-storey section of the building; and a screened plant area of 32 sqm on the 5-storey

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

section of the building. The proposed roof plant rises approx. 1 metre above the permitted lift over run. At Block D it is proposed to provide the following: 21 no. photovoltaic panels arranged in 3 no. rows; a screened with an internal plant room of 13.5 sqm and an external plant area of 24.33 sqm; a c. 3-metre-high red brick ESB substation with LV switch room to the southwest of the Block D, and the ancillary relocation of 1 no. car parking space. The proposed screened plant rises approx. 2 metre above the permitted parapet level. At Block E it is proposed to provide the following; 18 no. photovoltaic panels arranged in 3 no. rows; and the reconfiguration of the ground floor to replace 1 no permitted retail unit with an enlarged Plant Room (117.15 sqm}, ESB substation (13.6 sqm), a Generator Room (21.82 sqm}, and a Low Voltage (L V} switch room (13.71 sqm}. These works require the removal of existing windows and doors at the permitted retail unit. At Block F it is proposed to provide 18 no. photovoltaic panels arranged in 2 no. rows. These, and all associated site works including landscaping at a site of 2.9 hectares.

Decision: **GRANT PERMISSION.**

SD18A/0220: Temporary car park consisting of 100 car parking spaces and all associated site and engineering works necessary to facilitate the development. Planning permission is sought for a temporary period of 3 years.

Decision: **GRANT PERMISSION.**

Other applications on subject site

SD17A/0301 - Unit Nos. 27M, 28M & 29M, Citywest Shopping Centre, Citywest, Dublin 24

Development of a 0.08ha site at ground and first floor levels consisting of: (I) the amalgamation and extension of the existing, permitted retail units at first floor level, resulting in an increase in floor area of 48sq.m and (ii) the change of use of the units at both ground and first floor levels from retail as permitted to use as an indoor children's play facility (c.800sq.m), including soft play areas, an ancillary cafe, ancillary staff accommodation, and all associated works. Also to include 2 internally illuminated box signs with the external signage zone between ground and first floor levels.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD17A/0151 - Unit 1A, Citywest Shopping Centre, Saggart, Dublin 24

Change of use of first floor (690sq.m) retail unit, permitted under Reg. Ref: SD03A/0857, to gym studio with changing facilities and associated signage together with all ancillary site works.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD17A/0006 - Unit 1B, Citywest Shopping Centre, Fortunestown Walk, Saggart, Dublin, 24

Change of use of first floor Unit 1B (179sq.m) from commercial to medical care as extension to existing first floor medical care unit.

Decision: **GRANT PERMISSION WITH CONDITIONS**

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

SD16A/0431 - Unit 28/29, Citywest Shopping Centre, Citywest, Dublin 24.

Permission for development on a site (248sq.m) consisting of the subdivision of the existing permitted retail unit at ground floor level (c.245sq.m) to accommodate two separate uses as follows: (I) a café uses for the sale of food for consumption on and off the premises (106sq.m), and (ii) a take-away and ancillary restaurant use (139sq.m). The development will also include signage at fascia level, a new access door to facilitate the proposed café use, plant at basement level and all ancillary works.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD14A/0108 and PL06S.244369- Citywest Shopping Centre, Citywest, Dublin 24

Application for: Provision of a two storey 'drive-thru' restaurant (624sq.m. plus an enclosed yard measuring 36sq.m.) including the ancillary sale of hot food for consumption off the premises. The development will also consist of amendments to the existing car parking layout; lighting; signage (elevational and freestanding) and freestanding structures for the drive-thru restaurant including a height restrictor and customer order points with canopies; outdoor seating area with associated fence and lighting; plant; landscaping; boundary treatments and all associated site works above and below ground on a development area of 0.2228 Ha. The development is proposed in the location of a two storey pub/restaurant (862sq.m.) that was permitted under Reg. Ref. SD03A/0857.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD07A/0669 - Citywest Shopping Centre, Citywest, Dublin 24

New internally illuminated Dunnes Stores sign mounted externally at east elevation at high level (Amendments/modifications to previously approved plans (Reg. Ref. SD03A/0857, SD06A/0306) to commercial/shopping centre building Block F on lands (6.92H) located on south west quadrant of the junction between the N82 Citywest Road and Fortunestown Lane, Fortunestown, Dublin 24).

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD07A/0633 - Citywest Shopping Centre, southwest quadrant at junction of Fortunestown Lane and Citywest Road, Fortunestown, Dublin 24

Amendments/change of use to previously approved plans (Reg. Ref. SD03A/0857, SD06A/0306) to commercial/shopping centre building Block F on lands (6.92H). Amendments/change of use to Unit No. 9 ground floor from approved commercial retail use to retail banking and financial services.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD07A/0233 - Citywest Shopping Centre, (under Construction), SW Quadrant at Junction Of, Fortunestown Lane, Citywest Rd, Fortunestown, Dublin, 24

For amendments/change of use to previously approved plans Reg. Ref SD03A/0857, SD06A/0306 to commercial/ shopping centre building Block F on lands (6.92 H) located on

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

south west quadrant of the junction between the N82 Citywest Road and Fortunestown Lane, Fortunestown, Dublin 24. The development consists of the amendments/ change of use to Unit No. 1 Ground Floor from approved commercial retail use to restaurant use, external signage/ logo, and associated plant screening at roof level.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD07A/0232 - Citywest Shopping Centre, (Under Construction) SW Quadrant At, Jnt of Fortunestown Lane, Citywest Road, Fortunestown, Dublin 24

For amendments/change of use to previously approved plans Reg. Ref. SD03A/0857, SD06A/0306 to commercial/shopping centre building Block F on lands (6.92 H) located on south west quadrant of the junction between the N82 Citywest Road and Fortunestown Lane, Fortunestown, Dublin 24. The Development consists of the amendments/ change of use to Unit No. 3 Ground Floor from approved commercial/retail use to use as licensed bookmaker office, 3 no. satellite dishes and external signage/ logo.

Decision: **GRANT PERMISSION WITH CONDITIONS.**

SD07A/0231 - Citywest Shopping Centre, (under Construction), SW Quadrant at Junction Of, Fortunestown Lane, Citywest Rd, Fortunestown, Dublin, 24

Application for: Amendments/change of use to previously approved plans Reg. Ref. SD03A/0857, SD06A/0306 to commercial/shopping centre building Block F on lands (6.92 Ha) located on south west quadrant of the junction between the N82 Citywest Road and Fortunestown Lane, Fortunestown, Dublin 24. The development consists of the amendments/change of use to Unit No. 4 Ground Floor from approved commercial/ retail use to restaurant for sale of hot food for consumption on/ off the premises and external signage and logo.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD07A/0230 - Citywest Shopping Centre, (under construction), SW quadrant at junction of Fortunestown Lane, Citywest Road, Fortunestown, Dublin, 24

For amendments/change of use to previously approved plans Reg. Ref SD03A/0857, SD06A/0306 to commercial/shopping centre building Block F on lands (6.92 Ha) located on south west quadrant of the junction between the N82 Citywest Road and Fortunestown Lane, Fortunestown, Dublin 24. The development consists of the amendments/change of use to Unit No. 5 ground floor from approved commercial retail use to retail off license for sale of wine, beer, spirits etc. and external signage/logo.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD07A/0229 - City West Shopping Centre, (under Construction), SW Quadrant at Junction of Fortunestown Lane, Citywest Road, Fortunestown, Dublin, 24

For amendments/change of use to previously approved plans Reg. Ref. SD03A/0857, SD06A/0306 to commercial/shopping centre building Block F on lands (6.92 Ha) located on

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

south west quadrant of the junction between the N82 Citywest Road and Fortunestown Lane. The development consists of the amendments/change of use to Unit No. 7 ground and 1st floor from approved commercial retail use to restaurant/coffee house and external signage and logo.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD06A/0919 - Fortunestown Lane Citywest Road N82 & Fortunestown Way, Fortunestown, Dublin 24

Upgrading and widening of sections of Fortunestown Lane, Citywest Road (N82) and Fortunestown Way including footpaths, cycle paths and roundabout at junction of these roads, construction of new roundabout at entrance to Citywest Shopping Centre (under construction) and construction of all associated services and works including relocating bus bays, public lighting, and diversions, as necessary.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD06A/0434 - South West Quadrant of Fortunestown Lane, Citywest Road, N82, Fortunestown, Dublin 24

Amendments/modifications to previously approved retail, commercial, residential development (SD05A/0582) (as amended) on lands on the south west quadrant of the junction between the N82 Citywest Road and Fortunestown Lane, Fortunestown, Dublin 24. The proposed amendments/modifications involves inter alia the following: (1) revisions, amendments to profile on the glazed mall roof to previously approved pitched apex form (SD03A/0857) and associated plant rooms, lantern light, and roof access to Rotunda Drum; (2) amendments layouts to provide 57 units (9 x 1 bed, 48 x 2 bed) in 3 storey block over mall in lieu of approved 54 units together with associated changes to internal layout, external wall, window and balcony elevations; (3) amendments to external elevation configuration and material specification to own door offices fronting Citywest Road; (4) formation of new entrance doors/shop front on southern elevation to Units 14/15; (5) provision of retail/restaurant external roof garden area (circa 60sq.m) accessed off Unit 7A, 1st floor; (6) all associated modifications to design, layout, section/elevations that occur as a result of the above changes.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD05A/0582 - South West Quadrant of Junction of Fortunestown Lane, Citywest Road N82, Fortunestown, Dublin 24

Amendments/modifications to previously approved retail, commercial/residential development (PA Reg. Ref. SD03A/0857). The proposed amendments/modifications relate to Block F (shopping centre and associated retail development and own door offices) and involve the following; revisions to residential development over mall to provide 54 1 and 2 bed residential units in 3 storey block over mall fronting internal access road in lieu of previously approved 65 units around landscaped podium courtyard in 2 storey blocks; revised internal configuration of retail/commercial development and anchor store at ground and 1st floor involving increase in crescent retail units totaling 853sq.m gross floor area; reconfiguration southwards of anchor

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

retail unit and increase in area of 322sq.m: addition of floor space at 3rd and 4th floor over part of own door office units fronting Citywest Road (totaling 522sq.m gross floor area) and minor repositioning of own door office building; omission of previously approved crèche; provision of services utility block to the rear of main anchor unit and service yard fronting wayleave and increase in floor area (212sq.m gross floor area); amendments to service yard and loading bay facility; omission of car park entrance connecting surface car park to basement car park including other ancillary works integrating the proposed extended car park (Reg. Ref. SD05A/0353) into the overall scheme, revised external elevational treatment to all external facades of Block F including improved feature canopy and glazed entrance drum to mall; the additional floor area resulting from the proposed amendments noted above is 1909sq.m gross floor area over and above that already permitted.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD05A/0353 - Southwest Quadrant of junction of Fortunestown Lane, Citywest Road N82, Fortunestown, Citywest Road, Dublin 24

Application for: Amendments to approved plan Reg. Ref. SD03A/0857 forming part of phased integrated mixed-use retail/commercial and residential development. The amendments will consist of extension to existing approved basement carpark under retail/commercial use for provision of plant, retail storage, ancillary accommodation, including public toilets, management offices 4175sq.m and 60 additional car park spaces.

Decision: **GRANT PERMISSION WITH CONDITIONS**

SD04A/0081 - Site fronting Fortunestown Lane on part, SW Quadrant of Junction Of, Fortunestown Lane, Citywest Road, Tallaght, Dublin 24

Application for: Development consisting of a 2 storey, multi recreational complex and play centre facility and plant attached to community building forming part of proposed mixed use, retail, commercial and residential development with frontage to Fortunestown Lane at site located on the south west quadrant of junction of Fortunestown Lane.

Decision: Application Declared Withdrawn

SD03A/0857/FEP - South West quadrant of junction of Fortunestown Lane, Citywest Road, Dublin 24.

Decision: **GRANT FURTHER EXTENSION OF DURATION OF PERMISSION**

SD03A/0857/EP - South West quadrant of junction of Fortunestown Lane, Citywest Road, Dublin 24.

Decision: **GRANT EXTENSION OF DURATION OF PERMISSION**

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

SD03A/0857 and PL06S.208124 - South West Quadrant of junction of, Fortunestown Lane, Citywest Road, Dublin 24.

Application for: Phased integrated mixed-use retail/commercial and residential development incorporating the following uses in separate buildings: A total of 380 residential units comprising 13 1-bed, 305 2-bed and 57 3-bed units, with balconies and associated surface and underground car parking in a mixture of apartment and townhouses in the following arrangement: 4 3-storey duplex/apartment blocks (56 units); 1 5-storey apartment block including roof penthouse (145 units) over basement carparking (157 spaces); 1 4-storey apartment block including penthouse comprising 34 units; 3 2-storey courtyard housing units (5 units) including 12 3-storey duplex/apartment corner units; a courtyard residential development (65 units) comprising 16 2-storey maisonettes and 49 apartments units at landscaped courtyard podium level over the glazed retail mall; 5 storey residential feature building comprising 25 apartments on four levels with retail at ground floor (472sq.m); a commercial/shopping centre building incorporating a retail anchor store 60% Food (2926sq.m) and 40% Drapery/Textile & Household goods (1952sq.m) (4877sq.m gross floor area) with staff stock facilities at first floor (1515sq.m), glazed retail mall comprising retail units, non-retail services units, restaurant/ cafes (29 units totalling 3284sq.m), a revised 2 storey arcade with ground floor commercial/retail units and first floor and second floor feature office/restaurant/medical suites (2999sq.m) underground car park for 223 spaces and surface car park comprising 340 spaces; 8 2-storey own door offices (1699sq.m); crèche/playhouse with drop-off (375sq.m); community hall; 2 storey pub and restaurant (862sq.m); Permission is also sought for all ancillary site development, road widening works, service yard and loading facilities, bin stores, cycle parking, pathways, cycle tracks, hard and soft landscaping and boundary treatments, open spaces, signage. Vehicular access is proposed from Fortunestown Lane with new dedicated entrance to residential Block A/B off Fortunestown at NW site boundary and minor ancillary service access from the Citywest Road N82. An Environmental Impact Statement is being submitted with this application.

Decision: **GRANT PERMISSION WITH CONDITIONS AND APPEAL PL06S.208124 WITHDRAWN.**

Relevant Enforcement History

S6453: Case now closed.

Gsm0201: Case now closed.

Pre-Planning Consultation

LRDPP008/22.

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

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

Policy QDP7: High Quality Design – Development General

Policy QDP7: High Quality Design – Street Frontage

Policy SM2: Walking and Cycling

Policy SM7: Car Parking and EV Charging

9.4.2 Retail Hierarchy

Table 9.1 Retail Hierarchy

9.4.4 Additional Retail Floorspace and Sequential Growth

Policy EDE8: Retail - Overarching

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

EDE8 Objective 1:

To have regard to the Retail Planning Guidelines for Planning Authorities, DOECLG (2012) and the EMRA RSES Retail Hierarchy (or subsequent guidance) in defining the role of retail centres and in determining planning applications for retail development.

EDE8 Objective 3:

To support new retail provision in the County to meet the needs of the County's population and to direct new retail floor space into designated retail centres in accordance with the County Retail Hierarchy, so that centres can maintain and expand their retail offer.

EDE8 Objective 4:

To support the viability and vitality of the existing retail centres in the County, in particular in town, village and district centres and to facilitate a competitive and healthy environment for the retail industry, while reinforcing sustainable development.

12.3.1 Appropriate Assessment

12.3.3 Environmental Impact Assessment

12.4.2 Green Infrastructure and Development Management

12.5.1 Universal Design

12.5.2 Design Considerations and Statements

12.5.3 Density and Building Heights

12.5.4 Public Realm: (At the Site Level)

12.5.6 Shopfront Design

12.7.1 Bicycle Parking / Storage Standards

12.7.4 Car Parking Standards

12.9.5 Retail Development

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

12.10.1 Energy Performance in New Buildings

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

Relevant Government Guidelines

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

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

Retail Planning Guidelines for Planning Authorities, DOECLG (2012)

Retail Strategy for the Greater Dublin Area 2008-2016, Regional Planning Guidelines Office (2008)

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 relate to:

- Zoning and Council Policy;
- Visual and Residential Amenity;
- Access and Parking;
- Parks & Landscaping;
- Services and Drainage;
- Screening for Appropriate Assessment (AA),
- Screening for Environmental Impact Assessment (EIAR).

Zoning and Council Policy

The site is zoned 'DC', "To protect, improve and provide for the future development of District Centres." The proposal relates to relatively minor amendments to car parking layout for permitted development ABP-305556-19. As such, the principle of the proposed use is settled.

The subject lands are located within the development boundary of the Fortunestown Local Area Plan 2012 (extended by South Dublin County Council in 2017). However, it is noted that this LAP expired on 9th September 2022.

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

Visual and Residential Amenity

Under the SHD process An Bord Pleanála granted planning permission for **290** no. apartment units arranged in 6 no. blocks comprising the following:

- Block A: six storeys in height comprising 26 no. one-bed units, 20 no. two-bed units and 11 no. three-bed units with a resident amenity facility (circa 246 square metres) at ground floor level.
- Block B: four to five storeys in height comprising 31 no. one-bed units, 26 no. two-bed units and 9 no. three-bed units.
- Block C: five to six storeys in height comprising 12 number one-bed units, 38 number two-bed units and 11 number three-bed units.
- Block D: five storeys in height comprising 7 number one-bed units, 31 number two-bed units and nine number three-bed units, with a childcare facility (circa 265 square metres) at ground floor level and ancillary outdoor play area (circa 385 square metres).
- Block E: six storeys in height comprising 10 number one-bed units and 20 number two-bed units with resident amenity facility (circa 93 square metres), three number retail units (circa 76.4 square metres, circa 54.3 square metres and circa 76.3 square metres) at ground floor level.
- Block F: five to seven storeys in height comprising 20 number one-bed units and nine number two-bed units with communal roof terrace accessed at fifth floor level of circa 200 square metres, and one number retail unit (circa 78 square metres) and two number café / restaurant units (circa 187.7 square metres and circa 18.1 square metres) at ground floor level.

Omission of Additional Vehicular Ramp To Rear & 5 no. Surface Car Apaces

The applicant seeks amendments to a previously approved planning permission (ABP-305556-19) namely, to remove an additional secondary vehicle access for a basement car park (southern elevation). The original approved basement car parking layout is to be retained however the applicant has increased the parking by 5no. spaces at surface/ground level (Figure 2 below). The applicant has provided justification for the removal of the additional secondary vehicle access from the Citywest development. It is noted that ABP-305556-19 permitted 46 no. car parking spaces at basement level for residents and has permitted 158 no. car parking spaces in total.

The replacement of the permitted ramp access onto the adjoining permitted roadway with 5 no. additional car parking spaces with associated amendments to the parking layout, pedestrian paths and landscaping in the immediate vicinity is considered to visually accord with the character of the area and would integrate reasonably well with the overall proposed scheme.

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order



Figure 1 existing permission



Figure 2 proposed changes to planning permission.

Increase in Area of Permitted Surface To Basement Level Circulation Core

The enlargement of a permitted circulation core from basement to surface level in the south-eastern corner of the existing Citywest Shopping Centre incorporating stairwell and lift is provided to ensure easy pedestrian and cyclist access to the basement level designated residential car parking. This is considered to be acceptable and would integrate reasonably well with the development.

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order



Relocation of Demountable Bollards

The relocation of permitted demountable bollards further eastwards along the permitted roadway to the south-east of the Citywest Shopping Centre is considered to be acceptable and would integrate reasonably well with the development.

Enlargement of Permitted Hammerhead Circulation Area

The proposed enlargement of permitted Hammerhead Circulation Area is considered to be acceptable and would integrate reasonably well with the development.

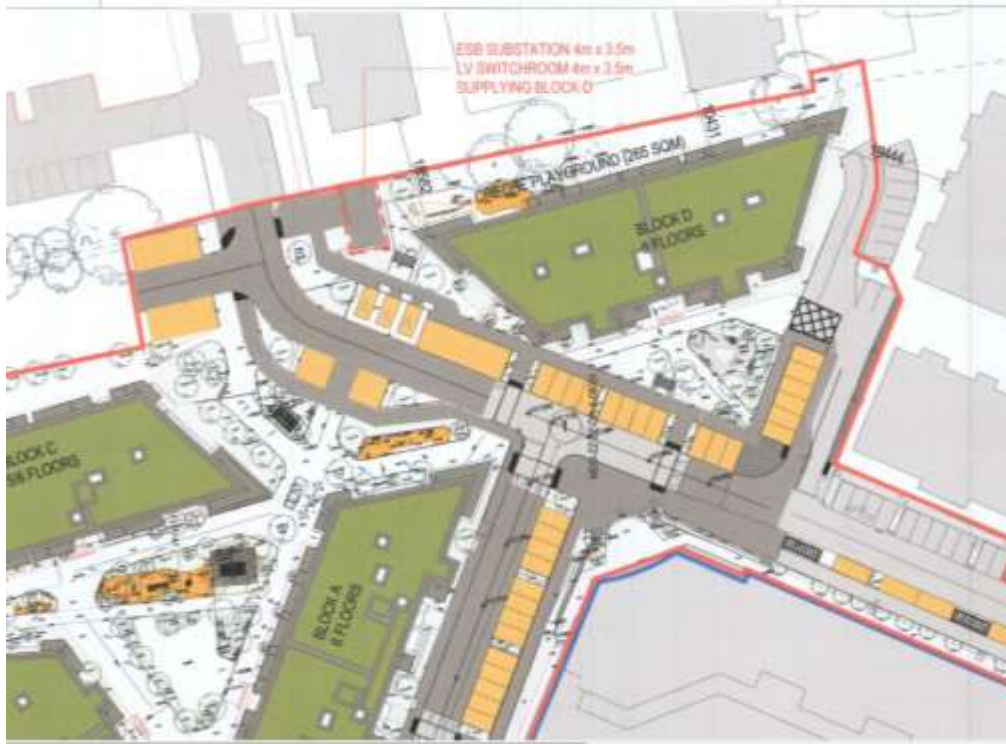
ESB Substation

The provision of a standalone ESB substation adjacent to the permitted apartment Block D that is required to service the scheme is considered to be acceptable and would integrate reasonably well with the development.

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order



The proposed amendments to the permitted SHD (ABP-305556-19) development will involve relatively minor revisions and the overall external appearance and permitted height of the buildings will be maintained. Therefore, the proposal is considered to be acceptable.

Access and Parking

The Roads Department have reviewed the proposed development and have issued a report recommending no objections. An extract taken from the Roads report states the following:

Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

Description

Amendments to a previously approved planning permission. The applicant is proposing to remove a secondary vehicle access from a basement car park. The access location does not exist at present and the applicant wishes to have its inclusion removed from a previous permission. The original approved basement car parking layout is to be retained. The applicant has increased the parking by 5no. spaces. There is a turning

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

location to the end of the access road. The applicant has provided justification for the removal of the second vehicle access from the Citywest development.

No Roads objections.

Following further consultation with the Roads Department it was ascertained that ABP-305556-19 permitted 153 no. car parking spaces. Therefore, with the additional 5no. spaces at ground/surface level this would bring the **total to 158 no. car parking spaces** resulting in 0.54 car parking spaces per apartment as the proposal in in zone 2 with reference to the County Development Plan 2022-2028 maximum car parking standards, due to the proximity to the Luas. This would comply with maximum car parking standards for the Development Plan 2022-2028. It is noted that ABP-305556-19 proposed for a total of 153 No. car parking spaces which equated to an overall car parking provision of c.0.52 per apartment.

Table 12.26: Maximum Parking Rates (Residential Development) Dev. Plan 2022-2028.

Table 12.26: Maximum Parking Rates (Residential Development)

Dwelling Type	No. of Bedrooms	Zone 1	Zone 2
Apartment Duplex	1 Bed	1 space	0.75 space
	2 Bed	1.25 spaces	1 space
	3 Bed+	1.5 spaces	1.25 spaces
House	1 Bed	1 space	1 space
	2 Bed	1.5 spaces	1.25 spaces
	3 Bed+	2 spaces	1.5 spaces

It is noted that the Roads report does not have any conditions attached. This is considered acceptable as the applicant is only seeking removal of the ramp access as part of a previous planning permission and adding car parking spaces to ground/surface level. However, in the event of a grant it is considered appropriate to attach the note below regards a roads opening licence:

Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

Parks & Landscaping

The Parks Department have issued a report recommending to grant with **conditions**. An extract taken from the Parks report states the following:

COMMENTS:

In relation to the above proposed development, this section has reviewed the application and has the following comments.

The Public Realm Section has no objections in principle to the above proposed changes as part of the application. However, the applicant is requested to submit and landscape plan and associated planting plan which details the proposed landscape planting to replace the previously approved vehicular access ramp to shopping centre base which has now been omitted and replaced with landscape planting and 5 no. car parking spaces.

The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:

1. Landscape Plan

The applicant shall submit a landscape plan. In addition to the Landscape Plan, the applicant should provide a fully detailed planting plan with full works specification. The planting plan/schedule should provide the following information:

- name of plants and or trees to be planted (both English & Latin names)*
- number of plants in each specific planted area (or location and number of trees)*
- size of plants/trees to be planted, whether bare-root or container grown*
- density of plants to be planted – how many plants per m² of planted area*
- Implementation timetables*

REASON: *In the interests of visual amenity and to ensure the provision, establishment and maintenance of a reasonable standard of landscape, in accordance with relevant policies and objectives contained within the current County Development Plan 2022-2028.*

It is considered appropriate to attach the above

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

Services and Drainage

Both Surface Water Drainage and Irish Water have issued reports recommending no objections subject to **conditions**. An extract taken from the Surface Water Drainage report states the following:

Surface Water Report: *No objection subject to:*

1. *Include SuDS (Sustainable Drainage Systems) such as green area, swales, permeable paving and other such SuDS*

Flood Risk

- *The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*
- *All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

Water Report: *Referred to IW*

Foul Drainage Report: *Referred to IW*

It is considered appropriate to attach the above **conditions** in the event of a grant.

An extract taken from the Irish Water report states the following:

IW Recommendation: No Objection

1 Water

1.1 Where relevant prior to the commencement of development the applicant or developer shall enter into a water connection agreement(s) with Irish Water.

Reason: In the interest of public health and to ensure adequate water facilities.

2 Foul

2.1 Where relevant prior to the commencement of development the applicant or developer shall enter into a wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health and to ensure adequate water facilities

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

It is considered appropriate to attach the above **conditions** in the event of a grant.

Other Considerations

Development Contributions

- The proposed development consists of amendments to SHD ABP-305556-19.
- Amendments proposed do not increase the overall building footprint and do not increase the habitable area.
- Assessable area is nil.

Screening for Appropriate Assessment (AA)

The applicant has submitted an Appropriate Assessment screening report. The report concludes that no significant impact will result as a result of the proposed development. An extract taken from the AA screening report submitted states the following:

Conclusion and Finding of No Significant Effects

Mitigation in an AA context is given as any measure which is introduced in order to avoid or reduce an impact to a Natura 2000 area. In this case no mitigation measures are suggested during either the construction or operation phases.

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

Having regard to the above,

- the small 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.

Screening for Environmental Impact Assessment (EIAR)

Having regard to the modest 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.

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

Conclusion

Having regard to the policy set out in the current South Dublin County Development Plan 2022-2028 and the scale and design of the proposed development, it is considered that, subject to the 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 provisions of the South Dublin County Council Development Plan and 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.

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. Previous An Bord Pleanala Conditions.
The proposed development shall comply with all conditions of An Bord Pleanala decision Ref. ABP-305556-19, unless otherwise required by the conditions set out below.
REASON: In the interest of clarity.
3. 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

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

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.

4. 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.

5. Drainage - Irish Water.

(a). Include SuDS (Sustainable Drainage Systems) such as green area, swales, permeable paving and other such SuDS

(b). The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

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

(d). Where relevant prior to the commencement of development the applicant or developer

Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

shall enter into a water connection agreement(s) with Irish Water.

(e). Where relevant prior to the commencement of development the applicant or developer shall enter into a wastewater connection agreement(s) with Irish Water.

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

(g). 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.

6. Landscape Plan

Prior to commencement of development the applicant shall submit a landscape plan to the Planning Authority for written approval. In addition to the Landscape Plan, the applicant should provide a fully detailed planting plan with full works specification. The planting plan/schedule should provide the following information:

- name of plants and or trees to be planted (both English & Latin names)
- number of plants in each specific planted area (or location and number of trees)
- size of plants/trees to be planted, whether bare-root or container grown
- density of plants to be planted – how many plants per m² of planted area
- Implementation timetables

REASON: In the interests of visual amenity and to ensure the provision, establishment and maintenance of a reasonable standard of landscape, in accordance with relevant policies and objectives contained within the current County Development Plan 2022-2028.

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 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 shall notify the Irish Aviation Authority and the Department of Defence regarding any cranes likely to penetrate ICAO surfaces.

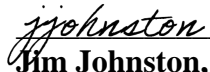
Comhairle Chontae Atha Cliath Theas

PR/0030/23

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0422

LOCATION: Citywest Shopping Centre, Fortunestown, 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: 11/01/23_____



Gormla O'Corrain,
Senior Planner