

Planning Department, South Dublin County Council
County Hall, Town Centre, Tallaght, Dublin 24

LAND USE, PLANNING
& TRANSPORTATION DEPT.
19 MAR 2023

Friday, 3rd March 2023
[By Post]

Dear Sir / Madam

RE: RESPONSE TO REQUEST FOR CLARIFICATION OF FURTHER INFORMATION IN RELATION TO PROPOSED DISCOUNT FOODSTORE ANCHORED DEVELOPMENT AT MAIN STREET UPPER, NEWCASTLE, CO. DUBLIN

SOUTH DUBLIN COUNTY COUNCIL REG. REF: SD22A/0312

1.0 INTRODUCTION & SUMMARY

1.1 Overview

The Planning Partnership have been retained by Lidl Ireland GmbH to respond to your letter dated 9th January 2023 in relation to an application for the proposed development, as summarised above. The response has been prepared in association with Darmody Architecture (Architects); Austen Associates (Landscape Architecture); Altemar (Environment & Ecology); Lawler Consulting (Mechanical & Electrical Engineering); Structural Design Solutions (Engineering), and CLV Consulting (Noise Assessment).

In summary, we consider that this Response to Request for Clarification of Further Information fully addresses all issues raised and removes any obstacle to the granting of permission for the scheme. This response has been prepared following detailed engagement (meetings, discussions and site visit) with the Planning Authority, by the various design team and local authority departmental disciplines.

1.2 Summary of Modifications

As part of responding to the various aspects of the Request for Further Information, a number of modifications have been made to the proposed development, as set out below and illustrated on the enclosed drawings, principally summarised below:

1. A modified Foodstore building is proposed, with revised proportions accordingly, as detailed below (an updated 'description of development' is also enclosed under Appendix A for clarity/comparison);
2. Reduced / narrowed principal internal road carriageway within site;
3. Considerably enlarged buffer zones to Eastern and Western boundaries (particularly Western);
4. Revised signage to Main Street area (replacing previous Flagpole, now omitted);
5. Thoroughly revised site lighting plan and specification;
6. Reduction of 5 no. parking spaces (from 95 at RFI stage no. to 90 no.);
7. Revised plant compound (now split into two adjacent areas);
8. Revised boundary treatments to West, South and East; and,
9. Revised surface water design and outfall connection.

The revised proposal herein represents a considered and improved scheme, which in our opinion provides the appropriate balance to the objectives of the Planning Authority and the proper planning and sustainable development of the area, and fulfilling the objectives of the Local Area Plan for Newcastle

2.0 RESPONSE TO REQUEST FOR FURTHER INFORMATION

2.1 Item no. 1

Request Items

"1. The Planning Authority is not satisfied that the Applicant has interrogated all potential design solutions to provide an appropriate buffer to the adjacent riparian zone from the top of the bank. In this regard the Applicant should provide additional cross sections along the western boundary of the subject site, to facilitate a complete assessment of the relationship between the proposed development and the treatment of the Burgage Plot hedgerow, stream and associated ditch along the entire western boundary. Furthermore, the Applicant should demonstrate the consideration of all potential design solutions which may result in the provision of an appropriate buffer (e.g. undercroft car parking). It is suggested that the Applicant meet representatives from the Drainage and Water Services Department, Parks and Public Realm Department and the Heritage Officer of South Dublin County Council on site to discuss the design approach. Any knock-ons of revisions in relation to other application plans and particulars should be considered."

Our Response

In response to the above, we note the Item contains a number of specific elements, in summary as follows:

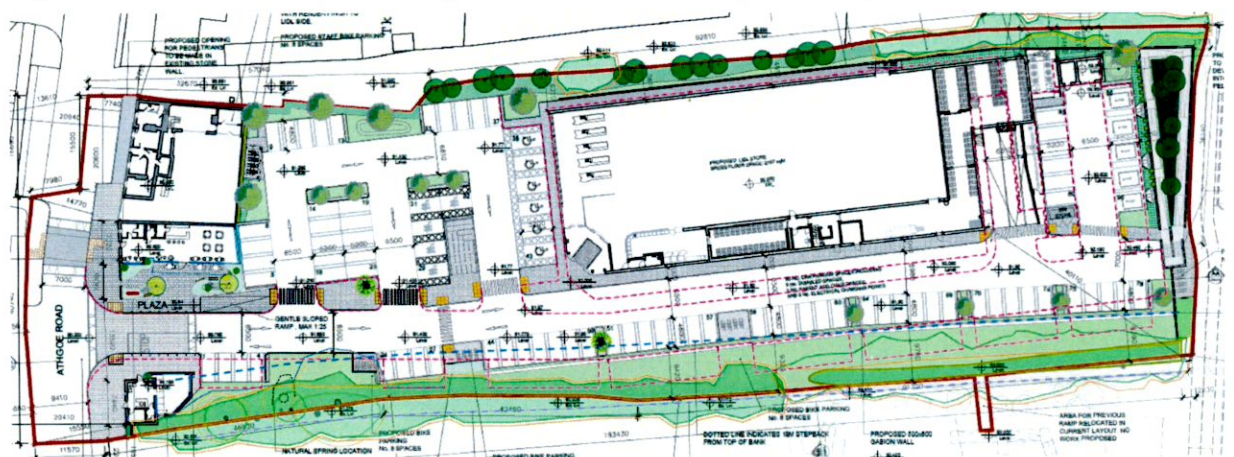
a) Interrogation of all potential design solutions to provide an appropriate buffer to the adjacent riparian zone from the top of the bank

Further to the above – and thorough engagement with the various departments of the local Planning Authority – the design team have interrogated a number of options for the proposed development, with a view to enlarging the buffer area along the site boundaries, in particular the Western boundary.

The enclosed layout, and associated details / revisions, provides a substantial enhancement in this regard. In short, the Applicant has reconsidered the entire design and layout of the scheme. In order to achieve the additional buffering sought, it has been necessary to re-examine the footprint of development, and the format, size and proportions of the proposed Foodstore.

Consideration was also given to the circulation roadway (and associated parking) between the store and Western boundary. Omission of the roadway was not possible, due to a number of factors, for instance the need to service the store and the need to accommodate pedestrian links to the south.

Figure 1: Revised Site Layout – Magenta outline illustrating RFI Footprint



Source: Darmody Architecture

The roadway has however been reduced in width (from c. 7.5 m to 6.5 m) whilst the remaining principal options related to the building itself which has been adapted accordingly.

The building has been narrowed from c. 33 metres to c. 28 metres, resulting in a cumulative additional area available of c. 6 metres, which has been devoted to the site boundaries. The building has also elongated somewhat as a result, from c. 75.5 to c. 80 metres.

The overall floor area has also reduced, from 2,207 sqm to 2,167 sqm, notwithstanding the provision of a partial first floor (increasing building height from c. 6.74 m to c. 7.02 m), where the overall building footprint has reduced considerably from c. 2,207 sqm to c. 1,920 sqm. The net retail sales area has also been reduced slightly from c. 1,440 to c. 1,373 sqm.

Revised floor plans and elevations are enclosed detailing these changes. As illustrated above, and in Figures 2 & 3 below, the resultant changes provide a significantly enlarged buffer area, primarily to the Western Boundary however also somewhat to the Eastern boundary.

We submit that the revised scheme, as detailed under the enclosed drawings and documents, fully addresses the above request to interrogate alternative solutions.

Figure 2: Revised Site Layout (Detail View) – Magenta outline illustrating RFI Footprint

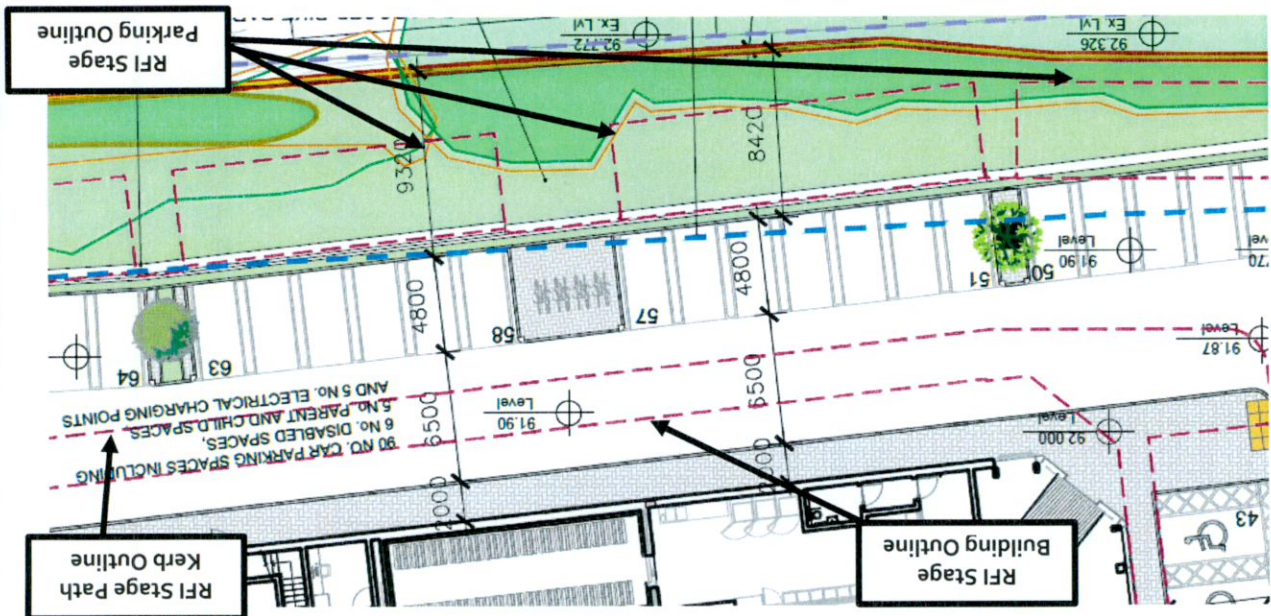
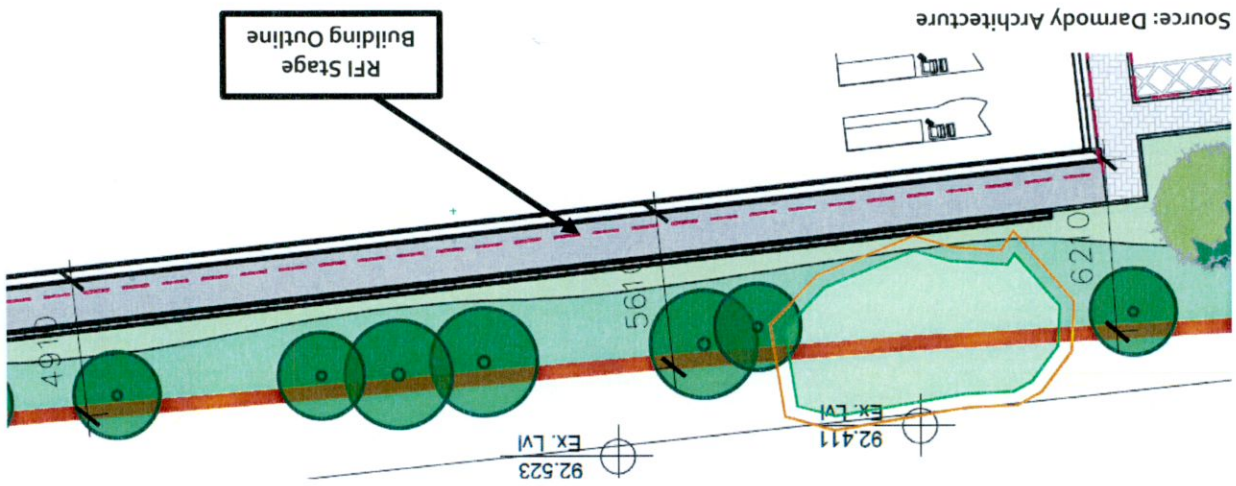
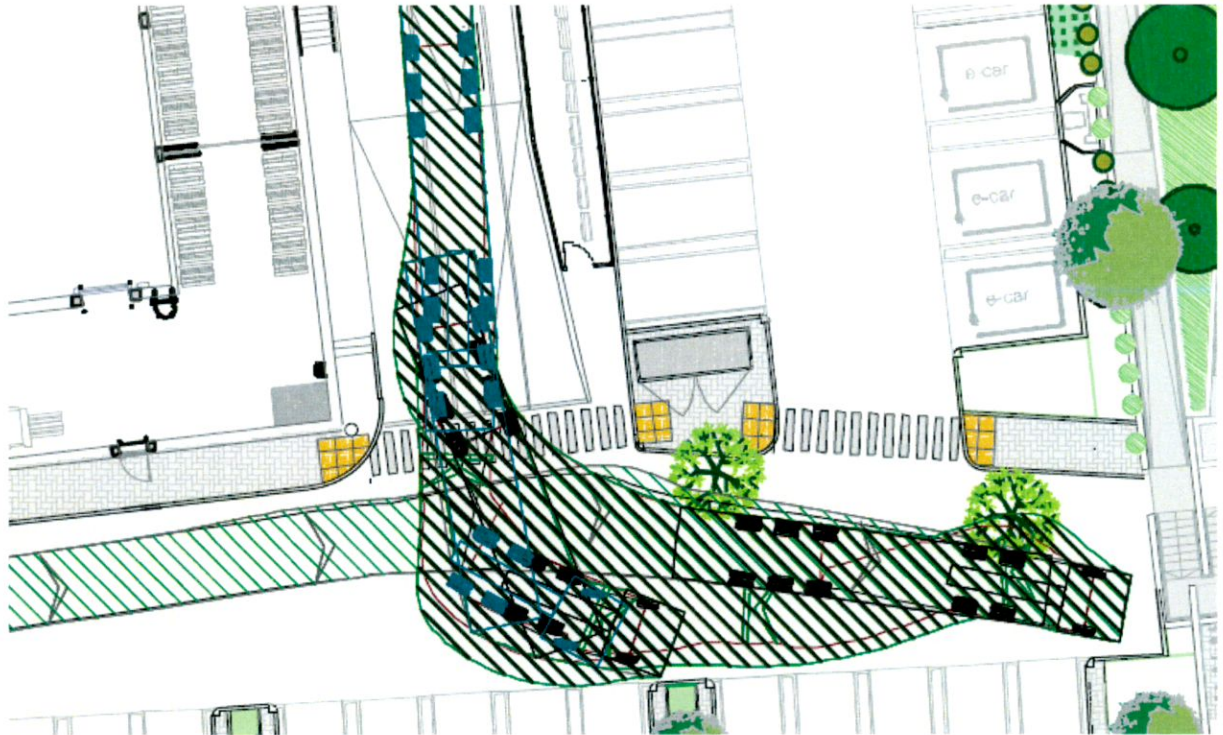


Figure 3: Revised Site Layout (Detail View) – Magenta outline illustrating RFI Footprint



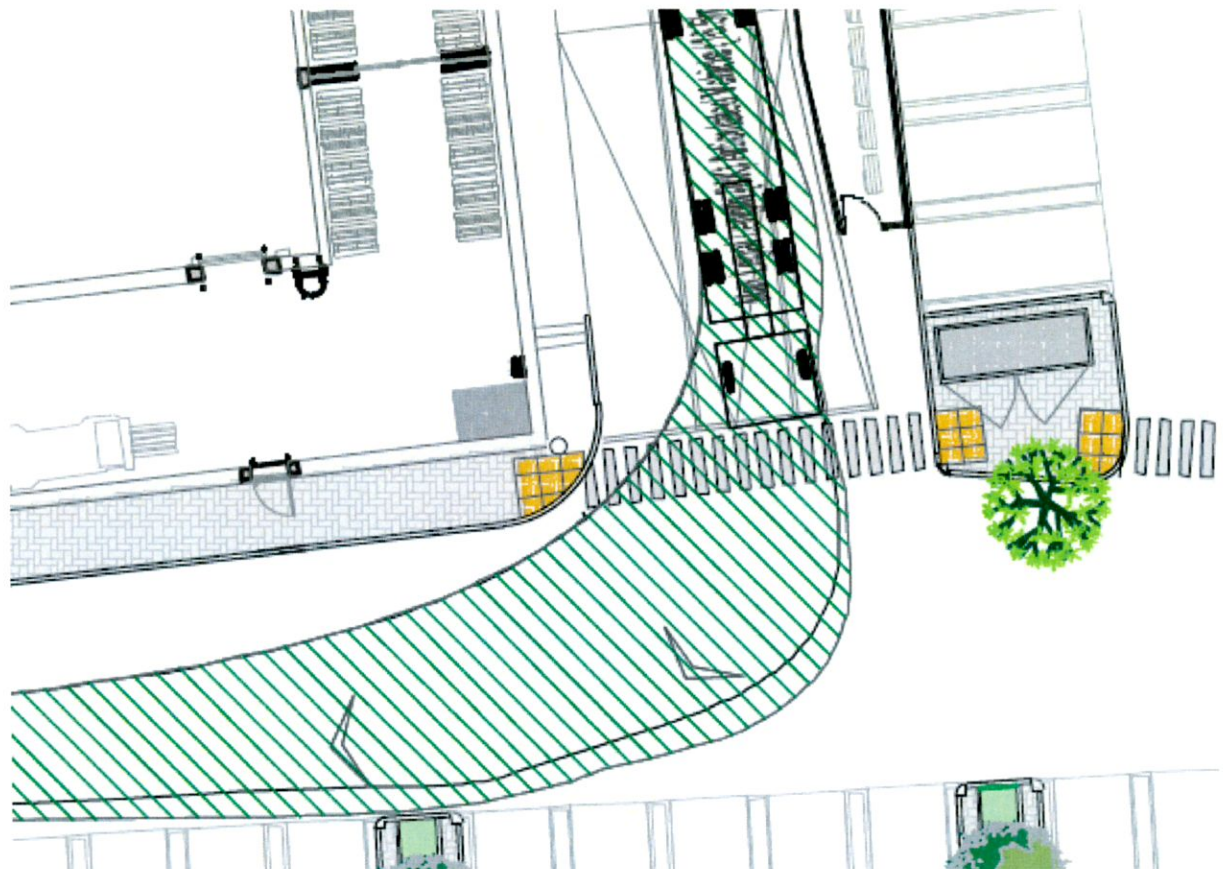
Finally, we also note the servicing of the store has been a core consideration, with the revised layout having been considered and proofed in terms of maintaining an appropriate service area, allowing for the manoeuvre of delivery vehicles, etc. Figures 4 & 5 below illustrate same.

Figure 4: Delivery Manoeuvre In



Source: Structural Design Solutions

Figure 5: Delivery Manoeuvre Out



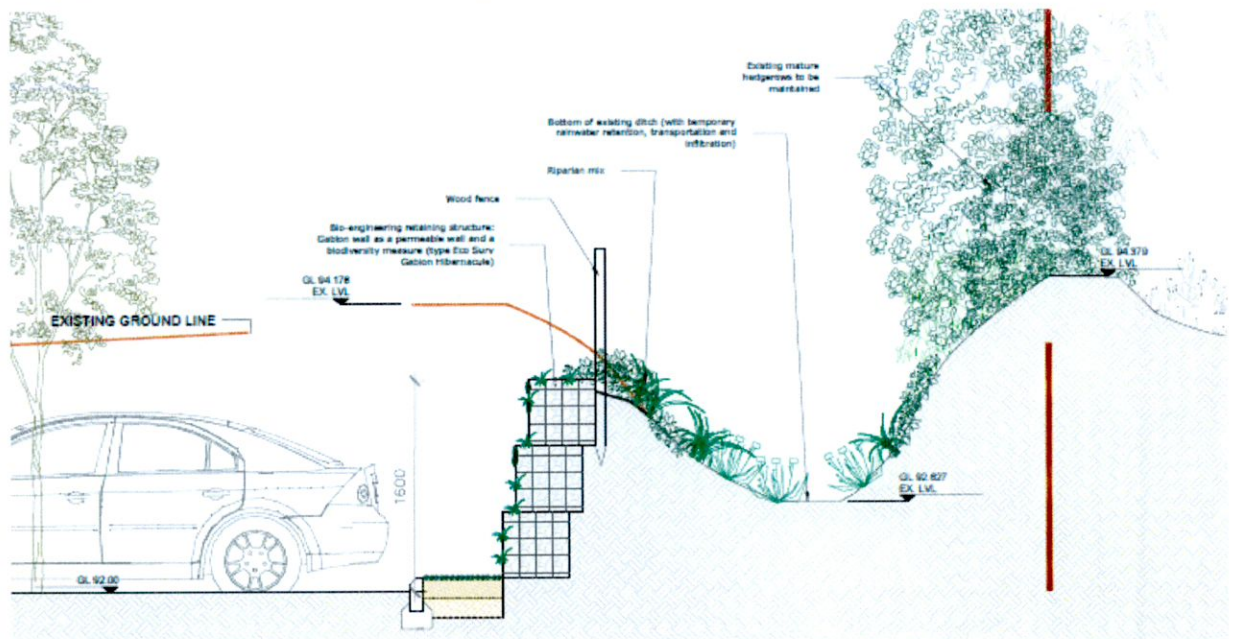
Source: Structural Design Solutions

- b) Provide additional cross sections along the western boundary of the subject site, to facilitate a complete assessment of the relationship between the proposed development and the treatment of the Burgage Plot hedgerow, stream and associated ditch along the entire western boundary

In response to this element, we refer to the substantial number of sections and boundary treatment details prepared by both the scheme Architect and Landscape Architect, elaborating on the Burgage Plot hedgerow, stream and associated ditch along the entire western boundary.

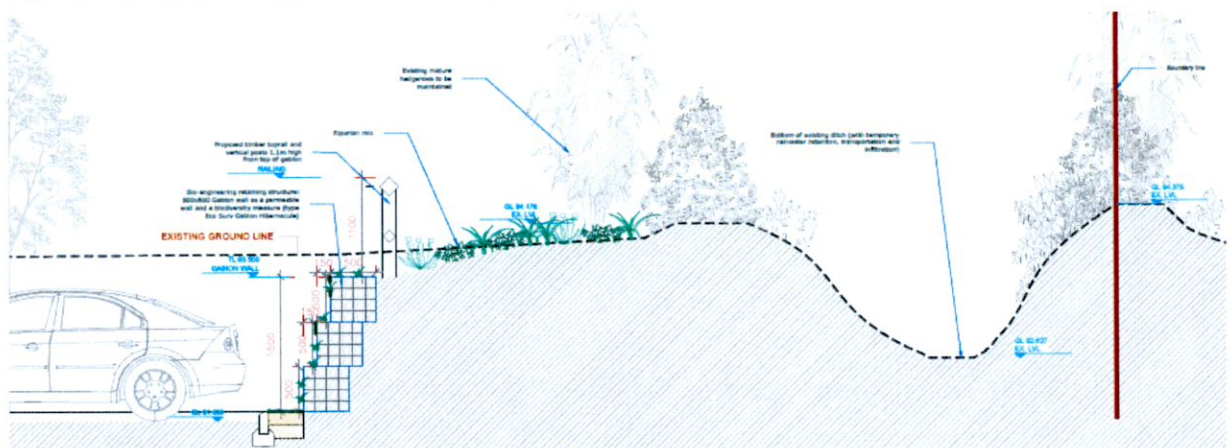
Figures 6-7 below illustrate some of the changes arising through Items 1 a) and c) for instance.

Figure 6: Western Boundary Section @ RFI Stage



Source: Austen Associates, Section J

Figure 7: Western Boundary Section @ CFI Stage



Source: Austen Associates, Section J

These additional details, along with the overall response – and thorough engagement with the various departments of the local Planning Authority – fully resolve this issue in our opinion.

c) Demonstrate the consideration of all potential design solutions which may result in the provision of an appropriate buffer (e.g. undercroft car parking)

As noted above, the Applicant has interrogated a substantial number of approaches to the layout and design of the proposed development.

These options have included consideration of undercroft car parking arrangements. An undercroft approach however is not considered appropriate or feasible in this instance, as it would not achieve a particularly more efficient footprint of development, owing to the structural and servicing consequences of locating the sales floor plate above ground floor level.

The core issue relating to the sensitivity of the subject site and its burgage boundaries is essentially the width of the store, as the above Item 1 a) demonstrates, where the reduction of width, whilst maintaining a ground floor sales area, achieves a considerably enlarged buffer to boundaries.

An undercroft approach would be particularly challenging in the context of the issue of store width, where a relatively large traveller area is required along the side of the building thus adding a new feature and contributor to store width.

In addition, the position of the traveller element, and the need for servicing to the rear of the store, would result in the requirement for a circulation roadway to be maintained.

Therefore, we submit that the Applicant has considered a wide range of design solutions for the subject site, leading up to and during the planning process, and the revised scheme as detailed under the enclosed drawings and documents represents the optimal solution in our opinion, and takes into account the feedback and priorities of the local Planning Authority to date.

d) It is suggested that the Applicant meet representatives from the Drainage and Water Services Department, Parks and Public Realm Department and the Heritage Officer of South Dublin County Council on site to discuss the design approach

As noted above, the Applicant and design team have had extensive engagement with various departments of the Planning Authority.

In addition, we confirm that the Landscape Architects have met with representatives of the planning authority on site, to discuss potential options and solutions to the issues raised. The outcome of this engagement has informed the overall response and redesign accordingly.

e) Any knock-ons of revisions in relation to other application plans and particulars should be considered

The revisions to the proposed development have been informed and considered by the overall design team, guided by the scheme Architects and Landscape Architects in particular.

As such, relevant knock on issues have been reconciled and addressed accordingly. In this regard we note that the drainage and lighting designs have been updated – to address other items arising and also to reflect the layout changes arising under Item 1.

A revised Bat assessment, Lighting Report, Noise Technical Note and landscaping details are also enclosed addressing any revisions and/or other changes arising from Item nos. 2-6, etc.

We therefore submit that the revised scheme has been comprehensively considered and detailed, as illustrated by the enclosed drawings and documentation.

2.2 Item no. 2

Request Items

"2. The Applicant should provide a detailed Planting Management Plan which clearly demonstrates how any proposed hedgerow removal and replacement planting would be carried out in such a way that does not compromise the integrity of the ditch and bank beneath the Burgage Hedgerow, which forms a key component of this important heritage feature. Prior to providing a Planting Management Plan, the Applicant is advised to liaise with the Heritage Officer of South Dublin County Council in this regard."

Our Response

In response to the above, we refer to the enclosed *Planting Management Plan* and associated drawings and details, prepared by the scheme Landscape Architects, in consultation and following meetings (including a site meeting) with the relevant local Planning Authority departments (in particular Rosaleen Dwyer SDCC Heritage Officer and Laurence Colleran SDCC Senior Executive Parks Superintendent).

We note that the plan has been devised having regard to the comments and requirements of local Planning Authority accordingly, and we trust same will satisfy the above request item.

2.3 Item no. 3

Request Items

"3. The Applicant is requested to revise the proposed boundary treatment as follows:

(i) In order to achieve the most optimum amount of noise reduction the wall height at the southern end of the proposed development should be increased in line with the recommendations of the Environmental Health Officer.

(ii) It is noted that the use of bioengineered gabion walls reduces the potential for the ditch and stream to be incorporated into the SuDS design of the subject scheme. In considering the potential design solutions to address concerns regarding the riparian buffer and impact to the Burgage Plot hedgerow, the Applicant should consider whether there is an opportunity to utilise existing features on the subject site for the purposes of Sustainable Drainage Systems. In re-designing the boundary treatment in this location, the Applicant should revisit the potential to uncover the existing culvert."

Our Response to (i)

With regard to the issue of noise and site boundaries, we note that following liaison with the Planning Authority and the Environmental Health Officer, revisions have been made to boundaries as requested. We also enclose a Technical Note provided by the Acoustic Consultant addressing this issue.

The Southern (and Eastern) boundaries have been revised with the provision of a higher wall detail, omitting the previous railing (on top of lower wall) detail. This results in a more acoustically enclosed area, particularly in the Southeast area of the site where delivery and plant / equipment activity is concentrated, thus fully addressing any concerns.

We also note that the plant / equipment compound has been somewhat revised (without consequence to the issue of noise) as part of the overall layout changes, which are all reflected in the enclosed drawings and Technical Note provided by the Acoustic Consultant.

Finally, we note the overall revisions (elaborated on under Item 1 above, etc.) provide a considerably larger buffer area to the Western boundary, thus providing a further positive in terms of the 'insulation' of the subject site from potential neighbouring future development.

Our Response to (ii)

The Applicant has given detailed consideration to the options for sustainable drainage on the subject site, as previously elaborated on in the response to request for further information, alongside maximising the buffer area to the Eastern and Western boundaries.

With respect to the revised layout as enclosed herein, we highlight the relatively substantial expansion of the buffer zone, primarily to the Western boundary however also to the Eastern boundary to an extent (as illustrated on enclosed drawings).

With regard to utilisation of the buffer area for management of 'site' surface water, we note that site levels generally preclude same, with the preserved buffer area generally being at a higher level to the site level.

We also note that given the requirement from the local Planning Authority to direct surface water away from the existing culvert and spring outfall to the northwest of the subject site, it would not be appropriate to 'mix' site surface water with the culvert, spring and drain corridor along the Western boundary.

With regard to the opening up of the culvert, this issue has been considered in detail by the design team, and discussed at length with the relevant departments of the local Planning Authority, including at on-site discussions.

We consider that there is now a consensus amongst all parties that the opening up of the culvert is not feasible due to the inevitable damage such an event would cause on the roots of the burgage plot itself, hence protection of the burgage plot necessitates the preservation of the culvert in situ.

Finally, with regard to sustainable urban drainage objectives, we note that the revised layout, in and of itself, will deliver an enhancement of same, through the reduction in build / construction footprint, primarily as a result of the increased buffer areas along the boundaries.

The enclosed 'Green Space Factor Calculator' prepared by the scheme Landscape Architects notes for instance that: "*As a result of widening the green buffer landscaped area to the western boundary of the site, the area of perennial planting has increased resulting in an improved Green Space factor score, going from 52% at RFI stage to 55% at CFI stage.*"

We also note that the enclosed Services Report confirms a reduction in the surface water storage requirements arising from the changes, for instance reducing from 604 m³ at RFI stage to 503 m³ for the current scheme.¹

These layout changes will thus provide a clear gain in terms of Sustainable Drainage Systems in our opinion, and *utilise existing features on the subject site*, for instance through minimisation of the development footprint where possible and preservation of natural areas.

¹ As noted in the Services Report: "*This will be divided between the permeable surface (rainwater gardens and permeable tarmac areas) subbase, providing a storage volume of 387m³, the green roof, which provides a storage capacity of 14m³, and the attenuation tank, providing 102m³ of storage.*"

2.4 Item no. 4

Request Items

"4. The applicant should revise the location of discharging surface water to a surface water system east of site. Prior to submission of a revised report and surface water drawing, the Applicant should liaise with the Drainage and Water Services Department to discuss the options available regarding discharge point location."

Our Response

In response to the above, we refer to the enclosed details prepared by the scheme Engineers, following consultation with the Drainage and Water Services Department of the Planning Authority.

In short, we confirm that the surface water outfall / discharge point will be relocated as requested into the public surface water infrastructure on Main Street.

The enclosed drawings and reports reflect and elaborate on this revision.

2.5 Item no. 5

Request Items

"5. The Applicant is requested to provide a revised lighting layout plan and lighting impact assessment report to address the outstanding concerns regarding the protection of the key ecology corridor along the western boundary of the subject site.

The Applicant should consider the Application of design solutions such as the provision of low level lighting affixed to the gabion walls in this location to protect the integrity of the key ecological corridor in this location.

The revised lighting layout should be assessed by an appropriately qualified bat expert, providing a revised bat survey and assessment of the amended lighting design. Furthermore, the revised lighting design should reflect any amendments applied to the Site Layout Plan as a result of any further design revisions arising from other items of Clarification of Additional Information.

The Applicant should engage with the Public Lighting Department, Parks and Public Realm Department and Heritage Officer of South Dublin County Council prior to the submission of a revised lighting layout."

Our Response

In response to the above, we note that the lighting strategy has been considerably altered, and reduced in scope, to address the concerns of the local Planning Authority.

The extent and type of lighting proposed is now substantially reduced compared to previous proposals, with free standing lighting columns now being largely omitted and replaced with building mounted fixtures (where possible).

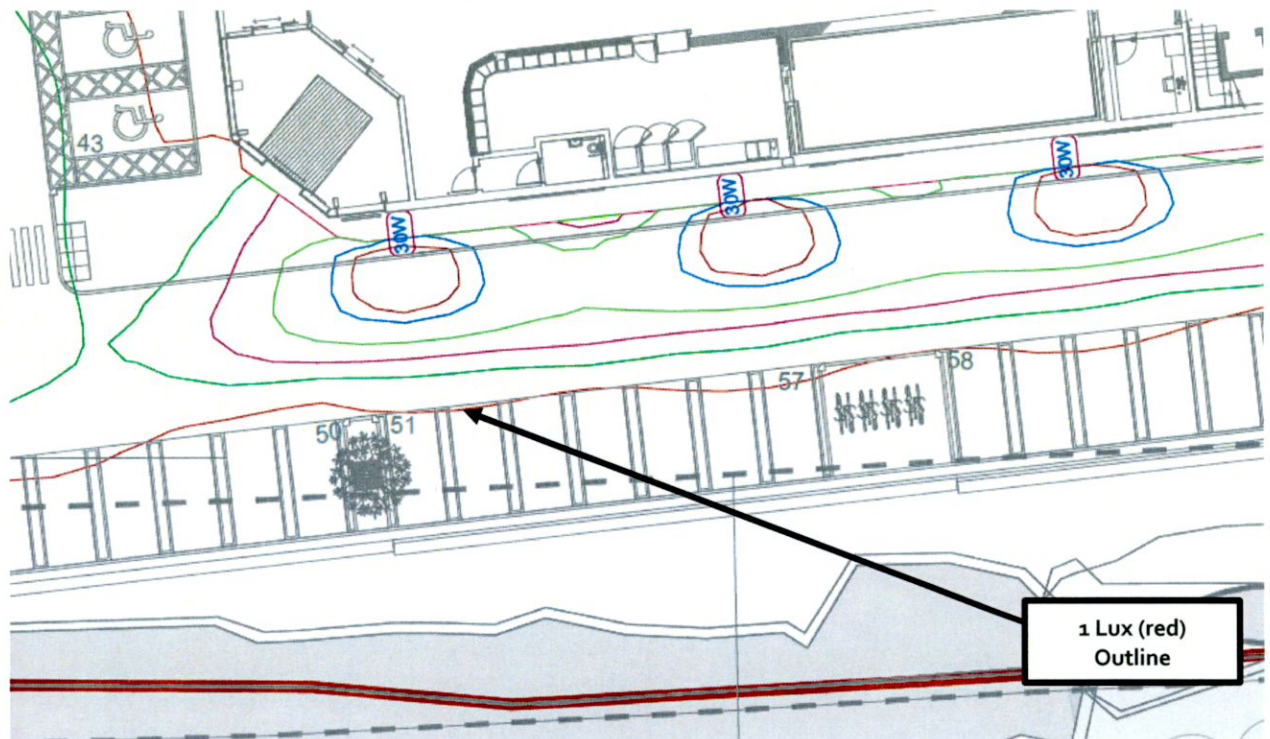
The footprint / layout of lighting has also been revised to take account of the other revisions to the site layout, which of themselves result in greater buffering to sensitive boundaries. Figures 8 & 9 below illustrate the RFI and current arrangements, demonstrating the considerable reduction in the lighting footprint on site (noting the 1 lux level for comparison).

Figure 8: Lighting Layout @ RFI Stage



Source: Lawler Consulting, Drawing no. 5197-S100 Rev. 03

Figure 9: Lighting Layout @ CFI Stage



Source: Lawler Consulting, Drawing no. 5197-S100 Rev. 06

We also enclose confirmation from the scheme Ecologist in terms of the review and approval of the lighting design.

We trust the revised details fully address this issue accordingly.

2.6 Item no. 6

Request Items

"6. Having regard to the prominent location of the subject site along Main Street and its location within an Architectural Conservation area, it is considered that the height and scale of the proposed 'flagpole' signage is not acceptable. In this regard, the Applicant is requested to revise the design of the proposed sign to a lower level wayfinding signage to mark the site's entrance with a high quality design and materiality. Consideration could also be given to addition of business identification signage affixed the side (east) elevation of Building D comprised of an appropriately sized, high quality metal monotone top lit signage. Prior to providing details of the revised signage, the Applicant should liaise with the Architectural Conservation Officer to ensure that the proposed signage would not have an adverse impact on the character and setting of the Architectural Conservation Area."

Our Response

In response to the above, we refer to the enclosed revised signage drawings, whereby the previously proposed flagpole sign has been omitted and the suggested wall mounted approach has been adopted by the Applicant.

Two wall mounted signs are proposed, of a suitably neutral material, and the Applicant confirms that these will be unlit.

The proposals have been referred to the Architectural Conservation Officer in advance of lodgement, and acceptance in principle of the detail therein has been provided. We trust the revised details fully address this issue accordingly.

3.0 CONCLUSION

In summary, we consider that this Response to Clarification of Further Information comprehensively addresses all the issues raised. A number of revisions have been made to the scheme to address the requirements of the Planning Authority as set out above.

These revisions, in combination, will result in a further enhanced scheme, whilst preserving the core of the development brief, to deliver a viable Foodstore layout whilst renewing existing structures on site and providing links to emerging residential areas.

The scheme as presented herein would in our professional planning opinion therefore be in accordance with the proper planning and sustainable development of the area. Accordingly, the Planning Authority are requested to grant permission for the proposed development.

Should you have any queries please do not hesitate to contact us.

Yours faithfully



Fintan Morrin
Associate
The Planning Partnership

Encl.

Appendix A**Revised Description of Development****(Tracked Changes Version Overleaf)**

Permission for development at Main Street Upper, Newcastle, Co. Dublin, principally consisting of the construction of a Discount Foodstore Supermarket with ancillary off-licence sales. The proposed development comprises:

- 1) The construction of a part single part two storey Discount Foodstore Supermarket with ancillary off-licence use (with mono-pitch roof and overall building height of c. 7.01 metres) measuring c. 2,167 sqm gross floor space with a net retail sales area of c. 1,373 sqm;
- 2) Construction of a vehicular access point to Main Street Upper and associated works to carriageway and including partial removal of boundary wall / façade, modification of existing footpaths / public realm and associated and ancillary works including proposed entrance plaza area;
- 3) Demolition of part of an existing rear / southern single storey residential extension (and related alterations to remaining structure) of 'Kelly Estates' building. The original 'Kelly Estates' building (a protected structure - Eircode: D22 Y9H7) will not be modified;
- 4) Demolition of detached single storey accommodation / residential structure and ancillary wall / fence demolitions to rear of existing 'Kelly Estates' building;
- 5) Demolition of existing single storey (stable) building along Main Street and construction of single storey retail / café unit on an extended footprint measuring c. 118 sqm and associated alterations to existing Main Street boundary façade;
- 6) Renovation and change of use of existing (vacant) two storey vernacular townhouse structure to Main Street, and single storey extension to rear, for retail / commercial use (single level throughout) totalling c. 61 sqm;
- 7) Repair and renewal of existing Western and Eastern 'burgage plot' tree and hedgerow site boundaries; and,
- 8) Provision of associated car parking, cycle parking (and staff cycle parking shelter), pedestrian access routes and (ramp and stair) structures (to / through the southern site boundary to facilitate connections to potential future development), signage, free standing trolley bay cover / enclosure, refrigeration and air conditioning plant and equipment, roof mounted solar panels, public lighting, hard and soft landscaping, boundary treatments and divisions, retaining wall structures, drainage infrastructure and connections to services / utilities, electricity Substation and all other associated and ancillary development and works above and below ground level including within the curtilage of a protected structure.

DESCRIPTION OF DEVELOPMENT:

Permission for development at Main Street Upper, Newcastle, Co. Dublin, principally consisting of the construction of a Discount Foodstore Supermarket with ancillary off-licence sales. The proposed development comprises:

- 1) The construction of a ~~part~~ single ~~part two~~ storey Discount Foodstore Supermarket with ancillary off-licence use (with mono-pitch roof and overall building height of c. ~~6.74~~ 7.01 metres) measuring c. ~~2,207~~ 167 sqm gross floor space with a net retail sales area of c. ~~1,410~~ 373 sqm;
- 2) Construction of a vehicular access point to Main Street Upper and associated works to carriageway and including partial removal of boundary wall / façade, modification of existing footpaths / public realm and associated and ancillary works including proposed entrance plaza area;
- 3) Demolition of part of an existing rear / southern single storey residential extension (and related alterations to remaining structure) of 'Kelly Estates' building. The original 'Kelly Estates' building (a protected structure - Eircode: D22 Y9H7) will not be modified;
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- 8) Provision of associated car parking, cycle parking (and staff cycle parking shelter), pedestrian access routes and (ramp and stair) structures (to / through the southern ~~and western site boundaries~~ boundary to facilitate connections to potential future development), ~~free standing and building mounted~~ signage, free standing trolley bay cover / enclosure, refrigeration and air conditioning plant and equipment, roof mounted solar panels, public lighting, hard and soft landscaping, boundary treatments and divisions, retaining wall structures, drainage infrastructure and connections to services / utilities, electricity Substation and all other associated and ancillary development and works above and below ground level including within the curtilage of a protected structure.

