



An
Bord
Pleanála

Board Direction
BD-007476-21
ABP-308288-20

The submissions on this file and the Inspector's report were considered at a Board meeting held on 04/02/2021.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the relevant planning history of the application site, the established commercial use on site and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development, which is a permitted use under the District Centre land use zoning, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would be in acceptable in terms of traffic, cycle and pedestrian safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted to the Planning Authority on the 6th day of August 2020, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with

the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed mezzanine area shall only be used for seating purposes only ancillary to the supermarket and shall not be used for any commercial use unless a formal grant of planning permission is obtained in this regard.

Reason: In the interest of clarity and in the interest of residential amenity.

3. Prior to the commencement of development details of the following shall be submitted to, and agreed in writing with, the planning authority:

(a) Details of the materials, colours and textures of all the external finishes to the proposed buildings.

(b) Precise details of the materials to be used within the bicycle parking shelters and glazed pedestrian walkway, including provision of adequate illumination.

Reason: In the interest of the visual amenities of the area.

4. (a) The proposed totem pole shall not exceed 6m in height or 3m in width at its widest point. This and other signage hereby permitted shall not be illuminated outside of the opening hours of the main supermarket and all lighting and signage associated with the shopping centre shall not be illuminated after opening hours.

(b) No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be

visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in 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 made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to

An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission

Board Member

Date: 04/02/2021

Dave Walsh

Note: In not accepting the Inspector's recommendation regarding the relocation of the bicycle shelter on the southwestern side of the car park, the Board considered that the provision of 60 bicycle parking spaces distributed throughout the carpark area adequately addressed the requirements for cyclists frequenting the shopping centre, and that there would be sufficient passive surveillance from motorists and pedestrians in the vicinity.