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**Planning and Development Acts 2000 to 2019**

**Planning Authority: South Dublin County Council**

**Planning Register Reference Number: SD19A/0078**

**Appeal** by Liffey Valley Management Limited care of Avison Young of 2-4 Merrion Row, Dublin against the decision made on the 25<sup>th</sup> day of July, 2019 by South Dublin County Council to grant subject to conditions a permission to Decathlon Sports Ireland Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Construction of a mezzanine floor (1,220 square metres) to the existing retail warehouse unit, resulting in a unit comprising 3,252 square metres gross floor area (from 2,032 square metres gross floor area existing), provision of signage (one number illuminated sign to the north elevation (31.64 square metres), two number non-illuminated signs on the south elevation (16.03 square metres and 2.47 square metres respectively), one number non-illuminated sign on the west elevation (16.03 square metres), associated alterations to the internal layout, associated elevational alterations and all other associated site works on a site of 0.212 hectares, approximately at Unit 14 Liffey Valley Retail Park, Coldcut Road, Dublin.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## **Reasons and Considerations**

Having regard to the zoning of the site, and to the Retail Planning Guidelines for Planning Authorities, issued by the Department of the Environment, Heritage and Local Government in January, 2012, the Retail Strategy for the Greater Dublin Area 2008-2016, the Retail hierarchy set out in the South Dublin County Development Plan 2016-2022 and the Eastern and Midland Regional Assembly - Regional Spatial and Economic Strategy (RSES) 2019-2031, it is considered that, subject to compliance with the conditions set out below, the proposed development and use would be in accordance with relevant national, regional and local policy 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 on the 28<sup>th</sup> day of June, 2019, 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. No more than 20% of the net retail sales shall be dedicated to ancillary items associated with bulky goods in accordance with the Retail Planning Guidelines for Planning Authorities (2012).

**Reason:** In order to minimise potential impacts on central retail areas, in accordance with the Retail Planning Guidelines for Planning Authorities (2012) and the proper planning and sustainable development of the area.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

4. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

**Reason:** In the interest of public safety.

5. The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to commencement of development.

**Reason:** In the interest of public health.

6. No additional signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

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 the 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.

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**John Connolly**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**