



Planning and Development Acts 2000 to 2019

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD19A/0320

Appeal by Liffey Administration Limited of Hambleden House, 19-26 Pembroke Street Lower, Dublin against the decision made on the 3rd day of December, 2020 by South Dublin County Council to grant subject to conditions a permission to Liffey Valley Management Limited care of Avison Young of 2-3 Merrion Row, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: A ten year planning permission for development consisting of new bus interchange facility with associated set down area, street furniture, passenger waiting shelters, signage and lighting. The development also includes the undertaking of infrastructure and landscaping works at the existing car park north of the Liffey Valley Shopping Centre, along the ring road (Ascaill na Life) and the main access road from the Fonthill Road (Bóthar na Life). These works will include road infrastructure changes, access improvements, the reconfiguration of the car park, general soft and hard landscaping works, inclusion of enhanced bus facilities including the new bus interchange, new pedestrian infrastructure, new cycling infrastructure; bus lay-by facilities and a bus driver welfare facility. The proposed development

will also include the undertaking of all ancillary site services and site development works at the Liffey Valley Shopping Centre, Fonthill Road, Clondalkin, Dublin. The area within the site boundary is circa 16.3 hectares.

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 sites location within an area zoned Major Retail Centre in the South Dublin County Council Development Plan 2016 – 2022, the planning history associated with the site and the Liffey Valley Centre, the pattern of development in the area, and the layout of the scheme, it is considered that, subject to compliance with 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 be acceptable in terms of traffic safety and convenience. The proposed development 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, 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 planning permission shall have a five-year duration with the permission expiring five years from the date of this Order.

Reason: In the interest of clarity and the proper planning and sustainable development of the area.

3. Water supply and drainage arrangements, including the attenuation and 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. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

5. Detailed proposals in respect of bicycle parking and storage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of sustainable transport.

6. Prior to commencement of development, the developer shall submit for the written agreement of the planning authority an amended site layout drawing showing a demarcated defined cycle route through all car parks to each of the proposed bicycling parking facilities, and when agreed, the development shall be carried out in accordance with the approved plans and particulars.

Reason: In the interest of cyclist safety.

7. Public lighting shall be provided in accordance with a scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of amenity and public safety.

8. The materials and finishes of the bus interchange facility and, in particular, the sheltered public waiting area shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

9. (a) No signage, advertising structures/advertisements or other projecting elements, including flagpoles, shall be erected within the site and adjoining lands under the control of the applicant unless authorised by a further grant of planning permission.
- (b) Full details of proposed signage to include signage lettering, logo dimensions, colours, materials, finishes and illumination type and details of information panels in the end wall of the bus waiting areas shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

Reason: To protect the visual amenities of the area.

10. A comprehensive landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:-

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development;
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings;
- (c) details of proposed street furniture, including bollards, lighting fixtures and seating;
- (d) details of any proposed boundary treatments including heights, materials and finishes.

The landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

11. Prior to commencement of development, the developer shall submit an Arboricultural Impact Report for the proposed development for the written agreement of the planning authority. This report shall clearly identify the existing trees onsite to be retained and those existing trees on site to be removed in order to accommodate the proposed development. The developer shall retain a greater proportion of existing trees within the development.

Reason: To facilitate the identification and subsequent protection of existing trees on the site, which represent an important amenity and should be substantially maintained

12. 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 interests of public safety and residential amenity.

13. Site development and building works shall be carried out only between the hours of 0700 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 amenities of property in the vicinity

14. 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.

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

Dated this day of 2020