



An
Bord
Pleanála

Board Order ABP-308288-20

Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20A/0095

Appeal by Brian Sherry of 27 Woodbrook Park, Ballyroan, Dublin against the decision made on the 2nd day of September, 2020 by South Dublin County Council to grant subject to conditions a permission to Musgrave Operating Partners Ireland care of Colman Cotter and Company of 'Sullane House', Great Island Enterprise Park, Ballincollig, County Cork in accordance with plans and particulars lodged with the said Council.

Proposed Development: (i) Demolish the trolley bay and the existing glazed entrance lobby to the SuperValu Unit, (ii) construct a new glazed Lobby on the south western corner of the SuperValu unit, (iii) construct a covered canopy (35 square metres) on the eastern wall of the SuperValu unit for the purpose of providing a 'Click and collect' facility, (iv) construct a trolley bay on the western side of the new Entrance Lobby, (v) alterations to the existing façade of the southern elevation of the existing Shopping Centre building, (vi) plaster and paint the existing eastern brick wall of the existing Shopping Centre building, (vii) internal alterations in the SuperValu unit to include the provision of a seating area/toilets and the relation of the existing Post Office unit, (viii) construct a new mezzanine floor (150 square metres) at the rear of the check-outs in the SuperValu unit for a seating area, existing flat roof over the new

mezzanine floor area to be raised to match the height of the existing pitched roof on the northern side of the entrance lobby, (ix) construct a covered glazed canopy over the existing pedestrian walkway in the car park and (x) erect a totem pole sign at the junction of Idrone Avenue and Knocklyon Road and all associated signage and site works at Knocklyon Shopping centre, Knocklyon 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 provisions of the South Dublin county 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 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 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 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 six metres in height or three metres 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.

