



An
Bord
Pleanála

Inspector's Report

PL06D.249380

Development	Mixed use development including a discount foodstore and ancillary off licence, café, medical centre, pharmacy, crèche and all associated site works.
Location	Shankhill Shopping Centre, Corbawn Lane, Dublin 18
Planning Authority	Dun Laoghaire Rathdown Co. Co.
Planning Authority Reg. Ref.	D17A/0426
Applicant(s)	Lidl Ireland GmbH
Type of Application	Permission
Planning Authority Decision	To Grant Permission subject to conditions
Type of Appeal	Third Party
Appellant(s)	Simone Janssens Corbawn Residents Association
Observer(s)	No observers
Date of Site Inspection	16 th January 2018
Inspector	Erika Casey

Contents

1.0	Site Location and Description	3
2.0	Proposed Development	3
3.0	Planning Authority Decision	5
3.1.	Decision	5
3.2.	Planning Authority Reports	5
3.3.	Prescribed Bodies	6
3.4.	Third Party Observations	6
4.0	Planning History.....	7
5.0	Policy Context.....	7
5.1.	Development Plan.....	7
5.2.	Other Policy.....	9
5.3.	Natural Heritage Designations	10
6.0	The Appeal	10
6.1.	Grounds of Appeal	10
6.2.	Applicant Response	12
6.3.	Planning Authority Response	16
6.4.	Observations	17
6.5.	Further Responses.....	17
7.0	Assessment	19
8.0	Recommendation.....	28
9.0	Reasons and Considerations.....	28
10.0	Conditions.....	29

1.0 Site Location and Description

- 1.1. The subject site has an area of 1.02 ha and is located to the north of Shankhill Village. The site currently accommodates a single storey local shopping centre comprising an anchor supermarket and 10 no. retail units. The majority of the existing retail units are vacant with only 2 units actively trading as a pharmacy and takeaway. The shopping centre has recently been refurbished. It is surrounded by surface car parking and the boundaries are defined by a stone wall. The existing vehicular access to the site is from Beechfield Manor Road. There are additional pedestrian accesses from the northwest and southwest.
- 1.2. The site is an island site bound on all sides by existing roads. To the north, it is bound by Beechfield Manor, to the west by Shanganagh Road (R119) and to the south east by Corbawn Lane. There is a level difference across the site and it drops by c. 5 metres from the north western corner of the site towards the eastern boundary.
- 1.3. Development in the vicinity is suburban in character. There are a number of large residential estates in the vicinity. St. Anne's Church (a protected structure RPS 1800) is located to the west of the site. Beechfield Manor Nursing Home (RPS 1801), also a protected structure is located to the north. Shankhill Village is located c. 150 metres south of the site. The village accommodates a range of convenience and service retail outlets.

2.0 Proposed Development

- 2.1. The proposed development comprises the demolition of the existing shopping centre which has an area of c. 3,173 sq. metres for the construction of a mixed use neighbourhood centre with a gross floor area of c. 3,731 sq. metres. The development comprises the following constituent elements:
 - The construction of a two storey discount foodstore (with a maximum height of 11 metres) with ancillary off licence with a gross retail floor area of c. 2,772 sq. metres and a net sales area of c. 1,573 sq. metres. The proposal provides for undercroft car parking to accommodate 67 no. spaces.
 - The construction of a mixed use building (with a maximum height of 9.2 metres) located to the south west of the site with a gross floor area of c. 609 sq. metres

to accommodate a café (c. 203 sq. metres), a pharmacy (c. 142 sq. metres) and a medical centre (c. 263 sq. metres).

- Childcare facility and associated external play area (with a maximum height of 4.8 metres) located to the east of the site with a gross floor area of c. 323 sq. metres.
- Single storey electrical substation and switchroom with an area of c. 26 sq. metres.
- 79 no. surface car parking spaces, 58 no. bicycle spaces, 6 no. motorbike spaces.
- External loading bay, delivery area, external plant room, advertising signage, retaining walls, bin storage areas, hard and soft landscaping, lighting, attenuation and drainage works.
- The principal vehicular access to the site is from Beechfield Manor. A landscaped civic space is proposed to the south west of the site.

2.2 The development was modified at Further Information stage and the key amendments can be summarised as follows:

- Retaining wall along Shanganagh Road was relocated to accommodate the future Shanganagh Road Improvement Scheme. Revised elevational treatment to the retaining wall to provide render finish, ornamental trellises and climbing plants.
- Provision of a new pedestrian ramped access to the Shanganagh and Beechfield Manor junction.
- Width of pedestrian entrance off Corbawn Lane reduced to a maximum of 1.8 metres.
- Fencing/barrier treatment to crèche outdoor play area amended to green weld mesh fence.
- Signage proposals amended.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 To Grant Permission subject to conditions. Conditions of note include:

Condition 5 and 6: Relating to the omission of signage.

Condition 7(a) and 7(b): Full details of the required relocation of the existing retaining wall and area of land (approximately 275 sq. metres) between the public footpath and the retaining wall to be ceded to Dun Laoghaire Rathdown County Council, to accommodate the future Shanganagh Road Improvement Scheme, to be agreed with the Planning Authority.

3.2. Planning Authority Reports

3.2.1. Planning Reports (04.07.2017 and 14.09.2017):

- The building is not considered to be of significant architectural merit to warrant its retention. It is considered that applicant has provided a satisfactory rationale for the removal of the existing building as opposed to its redevelopment.
- Satisfied that development complies with the policies of the County Plan and national and regional guidance and would provide an appropriate mixed use development in accordance with the Neighbourhood Centre zoning objective.
- It is considered having regard to the level differences across the site that a supermarket building of the height, scale and massing proposed can be accommodated. It is considered that the proposed development would not have an overbearing impact when viewed from the public realm or adjacent properties or give rise to significant or undue overlooking or overshadowing effects on same.
- The contemporary design approach taken is appropriate and the palette of materials is suitably high quality.
- The development will not adversely impact on the character and setting of the protected structures located in proximity to the subject site.

3.2.2. Other Technical Reports

Transportation Planning (27.06.2017 and 08.09.2017): No objection subject to conditions.

Drainage Planning (28.06.2017 and 01.09.2017): No objection subject to conditions.

Parks and Landscape Services: Further information recommended regarding outdoor play area for crèche, more soft SuDS measures, tree planting in car park area and revised landscape plan with more native species.

Public Lighting (27.06.2017): No objection.

Conservation Department (27.06.2017): No objection.

3.3. Prescribed Bodies

Irish Water (27.06.2017 and 07.07.2017): No objection.

3.4. Third Party Observations

3.4.1 15 observations were received. The majority object to the development and the issues raised can be summarised as follows:

- Object to the demolition of the existing building. No adequate justification for demolition provided. Existing structure should be re-used in the interest of sustainable development.
- Concern regarding the design, scale, bulk and height of the development and its potential visual impact particularly in relation to existing protected structures in the vicinity. Consider the design to be generic and that it has no regard to its immediate context, and that the development does not appropriately address the surrounding streets.
- Consider that the scale of development and mix of uses proposed is inappropriate having regard to the neighbourhood centre zoning of the site. No demand for additional crèche or medical centre in the area.
- Concerns regarding traffic impact; parking layout; crèche drop off; location of loading bay; pedestrian accessibility and overspill parking to adjacent roads. The development will promote car centric shopping.

- Object to the extent of signage proposed, loss of existing mature trees and loss of existing stone wall boundary treatment.
- Inadequate consultation with residents during pre-application stage.
- Potential negative impacts to amenities of adjacent residential areas in terms of noise, light pollution etc.

3.4.2 There was 1 observation in support of the development noting that the development would provide much needed additional retail offering to the local and wider community. Requests the imposition of a phasing condition to ensure the delivery of all elements of the proposed development.

4.0 Planning History

Planning Authority Reference D13A/0146

4.1 Permission granted in October 2013 for redevelopment and refurbishment of the shopping centre to include:

1) Single storey extension into the service yard that increases the supermarket element to 1,636 sq. m. gross; 2) Change of use of previously existing (vacant) public house of 411 sq. m. to supermarket use; 3) Omission of unit no. 4 to form new supermarket entrance; 4) amalgamation of units 2 and 2A for form enlarged pharmacy; 5) subdivision of unit no. 3 into 2 smaller units; 6) reconfigured service yard; 6) elevational amendments and refurbishment of roof; 7) new vehicular entrance from Corbawn Lane and provision of 116 car parking spaces; 8) new boundary treatment and signage.

4.2 This permission has been implemented. Condition no. 2 of the decision required the omission of the proposed vehicular entrance from Corbawn Lane and its replacement with a pedestrian and cycle access.

5.0 Policy Context

5.1. Development Plan

5.1.1 The operative Development Plan is the Dun Laoghaire Rathdown County Development Plan 2016-2022. The site is zoned NC – *To protect, provide for and or improve mixed-use neighbourhood facilities*. Shop – neighbourhood, health

centre/healthcare facility, childcare service and tea room/café are all permitted uses under this zoning objective. The following policies are of relevance:

Policy RES15 Urban Villages: The plan notes that the sustainable village concept is based on the premise that people should be able to access most of their daily living requirements within easy reach of their homes.

Policy RET3: Retail Hierarchy: Table 3.2.1 of the plan sets out the retail hierarchy.

Policy RET6: Neighbourhood Centres: *It is Council policy to encourage the provision of an appropriate mix, range and type of uses – including retail and retail services – in areas zoned objective NC subject to the protection of the residential amenities of the surrounding area.*

5.1.2 The plan notes that *“neighbourhood centres usually contain one supermarket ranging in size from 1,000 to 2,500 sq. metres with a limited range of supporting shops and retail services and possibly other services such as post offices, community centres or health clinics grouped together to create a focus for the local population. These centres meet the local day to day needs of surrounding residents.”*

Policy RET7: Convenience Shops: promotes the provision of local convenience shops in areas where there is a clear deficiency of retail provision.

Policy RET12: Assessment of Retail Proposals: Notes that applications for new retail development shall be in line with the role and function of the retail centre in the plan and accord with the scale and type of retailing identified for that location; support the vitality and viability of the retail centre; be of high quality and incorporate a layout that encourages active and engaging frontages.

Policy SIC6: Community Facilities: States that community facilities including health centres provide an important communal resource. Section 8.2.12.2 of the plan states that larger scale practices should normally only be located in neighbourhood, district and major town centre zonings.

Policy SIC11: Childcare Facilities: Encourages the provision of childcare facilities and promotes their development in neighbourhood centres.

5.1.3 Section 8.2.6.1 sets out guidance regarding the assessment of retail development proposals. Section 8.2.6.8 addresses shopfront design, signage and advertising.

5.2 Other Policy

Retail Planning Guidelines for Planning Authorities (2012)

- 5.2.1 The guidelines states that local or neighbourhood centres comprise a small group of shops, typically comprising newsagent, small supermarket/general grocery store, sub post office and other small shops of a localised nature serving a small, localised catchment population.
- 5.2.2 A supermarket is defined as a single level, self service store selling mainly food, with a net retail floorspace of less than 2,500 sq. metres.

Retail Design Manual (2012)

- 5.2.3 This document sets out a planning framework for future development of the retail sector in a way which meets the needs of modern shopping formats while contributing to protecting and promoting the attractiveness of town centres. 10 key principles of urban design are set out.

Retail Strategy for the Greater Dublin Area 2008-2016

- 5.2.4 The Guidelines define neighbourhood/small town/village centre as *“These centres generally provide for one supermarket or discount foodstore ranging in size from 1,000 – 2,500 sq. m. with a limited range of supporting shops (one or two low range clothes shops with grocery, chemist etc.) and retail services (hairdressers, dry cleaners, DVD rental) cafes and possibly other services such as post offices or community facilities or health clinics grouped together to create a focus for the local population.”*
- 5.2.5 With regard to Dun Laoghaire Rathdown, the strategy encourages the modernisation of local shopping in the many villages and suburban locations across the County.

Childcare Facilities Guidelines for Planning Authorities 2001

- 5.2.6 Section 3.3.1 of the guidelines note that neighbourhood centres are an appropriate location for locating childcare facilities particularly where ancillary parking associated with the neighbourhood shops can be used for the purposes of drop off and collection and where such centres are close to public transport.

5.3 Natural Heritage Designations

5.3.1 The following Natura 2000 sites are within 15 km of the proposed development:

Dalkey Islands SPA; Wicklow Mountains SPA; South Dublin Bay and River Tolka Estuary SPA; North Bull Island SPA; Rockabill to Dalkey Island SAC; Ballyman Glen SAC; Bray Head SAC; Knocksink Wood SAC; South Dublin Bay SAC; Wicklow Mountains SAC; Glen of the Downs SAC; Murrough Wetlands SAC; Carriggower Bog SAC.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 Two appeals have been submitted by Corbawn Area Residents Association and Simone Janssens. Issues raised overlap and can be summarised as follows:

Principle of Development

- Do not object to the principle of a Lidl Supermarket locating in the existing neighbourhood centre. It is considered however, that the development will have a permanent negative impact on Shankhill Village.
- The site and buildings are fully refurbished and ready for occupancy. The centre has remained vacant due to external commercial and economic factors. Justification for the complete redevelopment, particularly when the centre has just been completely been refurbished would require a significant planning gain. Demolition without any significant planning gain is environmentally unsustainable. The rationale for demolition is not sufficient.
- It is considered that the development will minimise the level of mixed use that has been a characteristic of the centre. The current centre provides for a strong range of mixed use shops and retail services that are consistent with the definition of neighbourhood centres. The proposed development reduces the mixed use profile to the bare minimum.
- The area is already well served by doctor surgeries and childcare facilities and the provision of same within the development is mere box ticking.

Design and Visual Impact

- The development is an inappropriate out of town retail box that is incompatible and out of scale with the character of the village centre. It is an inefficient use of serviced land and will be an incongruous development in Shankhill Village. The scale of the development is of concern due to its proximity to two protected structures – St. Anne’s Church and Beechfield Manor Nursing Home.
- The development is contrary to the urban design principles set out in the Retail Design Manual 2012. It is considered that the development turns it back on the adjoining streetscape with large scale, expansive and blank structures that have the potential to create antisocial behaviour. The lack of ground floor frontage creates a dull environment and undermines the vitality and viability of the centre.
- The new internal street is nothing more than a car park aisle typical of any out of town retail park. The frontage to this internal street is limited to that of undercroft car parking and thus there is no active frontage at pedestrian level.
- The development does not respond to the site or location and is a lost opportunity to create a development that could contribute significantly to the locality. The possibility of restoring the wide variety of mixed uses that was integral to the success of the neighbourhood centre for decades has been eliminated.
- Redevelopment of the site should deliver high quality street frontages around the site. Smaller retail units could be developed along the street at Shanganagh Road that would ensure a strong mixed use profile of the neighbourhood centre, as well as accommodating the larger supermarket facility within the body of the site behind. Street level access for pedestrians and basement parking for customers should be provided.
- The development provides no public realm function or value. None of the building facades have any direct relationship with the established streets that bound the site. Beechfield Manor, Beechfield Nursing Home and the Athgoe Estate will be severed from the existing village by expansive and long blank walls.

- 6 no. photomontages are provided by the appellant to demonstrate the perceived negative visual impact of the development.
- Consider that amendments made at further information state are negative. Concern that the proposal to realign the retaining wall will eliminate the 2-4 m wide planting strip between the parking spaces and the wall. The proposed pedestrian ramp between the façade onto Beechfield Manor and the existing basement retaining wall fails to meet the principles of good design and will be unused due to concerns regarding personal safety.
- The further removal of trees, greenery and loss of stone boundary wall is of concern.

Traffic and Parking

- The development will reinforce a car centric retail destination. The majority of the site is given over to parking and internal access routes.
- There are significant conflicts between pedestrian and vehicular traffic. The design is substandard in terms of pedestrian safety. In contrast, the existing development successfully separates pedestrian and vehicular traffic.
- A single drop off space for the crèche is insufficient and it is considered that the parking layout is inadequate.
- Lack of ground floor frontage will create potentially anti-social areas which will undermine personal security.

6.2. Applicant Response

Principle of Development

- Retention of the existing building was considered, however, to ensure that optimum operational efficiencies could be achieved, demolition is the preferred option. Demolition of the existing building provides the opportunity to develop energy efficient buildings that will improve customer experience.
- The proposed buildings take advantage of the opportunities to maximise natural lighting and passive solar gain with large expanses of glazing to their facades. They and are also designed to avail of passive ventilation. The demolition of the

existing building allows for the construction of modern commercial buildings and adaptable structures that exceed current standards.

- The proposed uses are permitted in principle under the zoning objective for the site. The application seeks to provide a diverse range of uses that constitute a neighbourhood centre as defined by the County Development Plan.
- The main street of Shankill Village offers an existing diverse range of retail businesses and services. The development will complement and enhance the village and positively contribute to the existing local retail and service offerings, rather than competing with them.
- Evidenced based analyses demonstrates that there are only 2 no. operational general practice surgeries in the area. It is considered that there is an under provision of childcare facilities available locally.
- The proposed development is a high quality scheme that will regenerate a largely vacant opportunity site that has been abandoned for over 10 years. It will provide economic and social benefits to the surrounding area.

Design and Visual Impact

- Additional photomontages provided from the same view points as submitted by appellants. A detailed visual impact assessment is also provided. The visual impact assessment concludes that although the scale of the new Lidl building is larger than the existing one, its massing effect is significantly reduced by the use of ground to roof glazing over much of the exterior. The new building facades will be sympathetically treated with stone cladding to match the existing vernacular. The buildings will be partly sunken, which will further reduce their massing effect and reduce the visibility of the undercroft car parking level.
- It is submitted that the design of the development is in accordance with the urban design principles set out in the Retail Design Manual and County Development Plan. A detailed assessment of all of the key criteria is set out. Key points from this assessment include:
 - The existing retail development on the site underutilises this pivotal site and the long vacant structure does not meet the requirements of modern

retailers such as Lidl. The development will provide a contemporary supermarket with additional ancillary services. The mix of uses should attract larger numbers of consumers to the site and help make it a more economically attractive development with opportunities for people to meet and dwell on site. Flexibility and adaptability have been considered in the design approach.

- The development proposes a daisy chain of new public realm landscaped spaces generated by the cluster of three building groups, broadly located at each corner of the site. The arrival point is defined on the western edge of the site by a double height café and a civic landscaped public plaza. This links to a central boulevard street that connects to Beechfield Manor Road. The majority of the car parking is concealed below the discount foodstore which has afforded the provision of a considered public realm.
- The site is an island site, surrounded by public roads and this presents significant design challenges. Care has been taken to ensure that all frontages passively survey the public open spaces within the site and negate the potential for antisocial behaviour. Public areas will be well lit. The buildings provide active frontage and a diversity of uses at different times of the day.
- Using the existing site topography, the foodstore has been intentionally positioned inside the northern boundary at the lowest point of the site to minimise any visual intrusion with its entrance located on the most prominent corner within the site. The inclined green roof of the supermarket will provide an attractive aspect when viewed from the north.
- The architectural treatment to the northern façade is enhanced through the use of stone cladding. New mixed native hedge and cherry trees will be introduced behind the stone wall creating a softening effect. Windows at first floor level will overlook Beechfield Manor. 2 no. pedestrian entrances on the northern boundary are proposed. The combined effect is to create a more pedestrian friendly street than is currently in place. The ground to roof glazing presented to the Shanganagh Road frontage is an appropriate modern intervention in the existing streetscape.

- Enhanced permeability to the site will be facilitated through the provision of 3 no. additional pedestrian entrances. The layout aims to integrate with the local urban structure and will promote connectivity with the rest of Shankhill Village. The development is also highly accessible by public transport. Bicycle parking is proposed at key locations within the site.
- There is no significant adverse impact on views of the protected structures in the vicinity. The scale and relationship with St. Anne's Church and Beechfield Nursing Home was considered to ensure the proposed development did not detract from the established context of the protected structures. The built form, scale and mass has regard to its urban context. The new development expresses its function in an architecture that is of today.
- In terms of the landscape design, retention of existing trees was a high priority. 2 large sycamore trees will be removed. It is proposed however, to plant over 50 new trees on the site. In addition a wide variety of hedge and ornamental planting has been selected for the proposed development. The development will thus significantly improve the contribution the site makes to the landscaping of the area. The implementation of significant landscape measures are designed to reduce the visual impact to surrounding areas.

Traffic and Parking

- Within the internal site, dedicated pedestrian footpaths are proposed which have been designed in accordance with DMURS. These will provide a safe passage for pedestrians. Vertical deflection measures including a raised table will also be installed to encourage reduced vehicular speeds and create pedestrian priority on the internal avenue.
- Pedestrian crossings are proposed to facilitate pedestrian movements from the café/pharmacy and medical centre towards the foodstore. Internal pedestrian footpaths are also proposed within the undercroft car park. A dedicated footpath is provided to cater for pedestrians travelling along the west of the site to minimise for the potential conflict between cars and pedestrians. An independent Quality Audit has been undertaken as per the DMURS guidelines.

- Existing pedestrian footpaths are located around the perimeter of the site and the usable width of these will be improved as part of the development due to the relocation of existing ESB poles.
- With regard to concerns raised regarding the existing roundabout located at the Corbawn Lane/Beechfield Manor/Dorney Ct. junction, it should be noted that the development is located on the former shopping centre site and thus was previously subject to servicing vehicles including delivery trucks and refuse lorries.
- Swept path analysis of the site has been undertaken and this demonstrates that servicing vehicles will be able to manoeuvre within the internal roads layout. The servicing arrangement is akin to the majority of Lidl's stores in Ireland where servicing is undertaken within the car park. The layby serving the crèche has capacity for a total of 3 cars and autotrack analysis shows that the layout has been designed to cater for cars accessing and exiting the crèche drop off.
- It is proposed to provide 146 parking spaces which is within the maximum requirements as set out in the Development Plan.

6.3. Planning Authority Response

- The drawings and supplementary information submitted with the application were considered more than adequate to fully assess the application. A satisfactory justification for the demolition of the existing building was provided by the applicant.
- The proposed development provides for a suitable mix of uses in accordance with the NC zoning objective at this location which would be complementary to the range of uses available within Shankhill Village. The design of the buildings allows for flexibility and adaptability in the future.
- The development has strong emphasis on accessibility and permeability and car parking provision is in accordance with the Development Plan standards.
- The development is consistent with the Retail Planning Guidelines, Retail Strategy for the Greater Dublin Area and the County Development Plan. In terms of the Retail Design Manual, the Planning Authority considers that the design, form, scale, mass and palette of materials proposed for the

supermarket, café/pharmacy/medical centre and crèche are clear expressions of each buildings function, are visually attractive in their own right and appropriate collectively for this site, having regard to its topography and island nature. It is considered that the development would not detract from the character and visual amenities of the area.

- Request amendment to condition 15 regarding landscaping.

6.4. **Observations**

- No observations.

6.5. **Further Responses**

Dun Laoghaire Rathdown County Council (03.01.2018): It is considered that the First Party Response does not raise any new issues that in the opinion of the Planning Authority would justify a change of attitude towards the proposed development.

Simone Janssens (08.01.2018):

- Tree screening is proposed in an effort to hide the inappropriate development.
- The tree planting along Shanganagh Road on land to be ceded to the Council will only be temporary. The trees will inevitably be removed to facilitate the road widening proposals.

Corbawn Area Residents Association (07.01.2017):

- Note that the photomontages submitted by the applicant do not include any night time views.
- The photomontages submitted clearly demonstrate the prominence, scale and inappropriateness of the proposed development. View 2 represents a significant negative impact.
- Trees proposed along Shanganagh Road will be removed when the road widening works are undertaken. The western elevation will thus remain exposed and prominent and of inappropriate character. The visuals provided by the applicant cannot be relied upon as representative of what is proposed.

- The extent of wall panels to have stone cladding is visually incongruous in the context of the wider village environment.
- Concerns raised regarding the widening and relocation of the recently constructed pedestrian entrance from Corbawn Lane and the impact on the historic stone wall.
- The applicant has not adopted any additional measures over and above the existing site topography to alleviate the scale and massing issue. Reiterate that the adoption of a basement car park would reduce the overall height impact of the building.
- The opportunity to continue a diversified retail offering will be lost if the proposal were to be developed. No consideration has been given to whether a stronger mix of retail and other services would enhance the economic viability of Main Street. A broader range of uses would ensure a more viable and sustainable use of the site.
- Remain of the view that the layout, with its inherent interactions and conflicts between vehicular and pedestrian movements cannot best practice and design standards.

Mc Hutcheon Halley (21.12.2017)

- Welcome and support comments made by Dun Laoghaire Rathdown Co. Co. Agree to revised wording of Condition no. 15.

7.0 Assessment

7.1. The main issues in this appeal are those raised in the grounds of appeal and it is considered that no other substantive issues arise. Appropriate Assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development.
- Traffic, Parking and Pedestrian Accessibility.
- Design and Visual Impact.
- Appropriate Assessment.

7.2 Principle of Development

Demolition of Existing Building

- 7.2.1 Concerns have been raised by the appellant regarding the demolition of the existing building. It is noted that the building was refurbished in 2013 and it is considered that insufficient justification for its demolition has been provided by the applicant. It is contended that demolition should only be permitted where the new development results in a significant planning gain. It is not considered that the proposed development achieves this and that it will not deliver any long lasting benefits to the locality.
- 7.2.2 The existing buildings are of no architectural value or interest. Whilst some refurbishment and redevelopment works were undertaken in 2013, the development remains a relatively low density neighbourhood centre with extensive perimeter parking. The existing development contributes little to the public realm or streetscape and has been vacant for a significant number of years.
- 7.2.3 The proposed development will provide for the comprehensive redevelopment of the site for a more intensive form of neighbourhood centre retail development. The overall quantum of floorspace will be increased. The proposed Lidl store will provide an effective anchor to the centre and will be complemented by a range of retail and community facilities. The development will ensure the regeneration of a site that has been vacant for over 10 years.
- 7.2.4 It is acknowledged that international multiples such as Lidl have particular design and operational requirements. Whilst flexibility in design, retail format and layout by such operators is required in order to comply with the requirements of the sequential test (section 4.5 of the Retail Planning Guidelines), it is recognised that retro fitting such stores into an existing development can pose significant architectural and design challenges. It is not always possible for existing developments to be modified satisfactorily to accommodate the needs of modern shopping formats.
- 7.2.5 I am satisfied that in this instance, the demolition of the existing development is justified as it will allow for the provision of a high quality contemporary retail development. The Lidl store will provide a much needed convenience anchor for the village and will ensure the viability of the neighbourhood centre. The development will ensure a more effective utilisation of the site.

- 7.2.6 It is also noted that the development will achieve a higher level of energy efficiency compared to the existing structures and it is envisaged that it will have an A3 Building Energy Rating. Measures incorporated into the design include LED lighting, a green roof, permeable paving and sustainable refrigeration systems. A detailed energy statement was submitted at Further Information stage which outlines in detail the design measures to be incorporated.
- 7.2.7 In conclusion, it is considered that sufficient rationale for the demolition of the existing centre has been provided as the new development will provide a more sustainable development than that currently located on the site. The new development will provide for an enhanced shopping and working environment. It is considered that the design of the development makes a better contribution to the streetscape than the current centre and demolition will enable the development of a significant new convenience anchor with a higher specification and better quality design than the existing development.

Land Use Mix

- 7.2.8 The proposed development comprises the development of a discount food store including off licence with a net retail area of c. 1,573 sq. metres, a mixed use building incorporating a café of c. 204 sq. metres, pharmacy of c. 142 sq. metres and a medical centre of c. 263 sq. metres and a separate childcare facility of c. 323 sq. metres.
- 7.2.9 It is stated by the appellants that the development undermines the mixed use nature of the existing development and reduces the mixed use profile to the minimum. It is noted however, that the majority of units within the centre have been vacant for over 10 years and the list of previous tenants of the neighbourhood centre outlined by the appellants are no longer present. Only 2 units – a pharmacy and a takeaway are occupied. Despite refurbishment works, there has been no interest in the occupation of the existing centre and in this context its viability is questionable.
- 7.2.10 Under the current Dun Laoghaire Rathdown County Development Plan the site is zoned Neighbourhood Centre. All of the proposed land uses are permitted in principle under this zoning objective. The Plan provides a clear definition of a neighbourhood centre noting that they typically contain one supermarket ranging in size from 1,000 to 2,500 sq. metres with a limited range of supporting shops and

services as well as possibly other services including community centres or health clinics. I consider the range of uses proposed to be consistent with the definition of a neighbourhood centre.

7.2.11 It is noted that there is no significant convenience offering in Shankhill Village at present, with residents having to travel to Bray or Cornelscourt to undertake their principal convenience shopping. Existing convenience provision primarily comprises small symbol stores suited to top up shopping needs. The proposed development will address this paucity of convenience retail provision and provide a modern supermarket facility within walking distance of a large population catchment. I consider that the development will complement existing retail provision in Shankhill Village and make a positive contribution to the retail offering of the village. The pharmacy and café are also considered to be complementary land uses, and the café with its outdoor seating area onto the new entrance plaza will create enhanced animation and vitality.

7.2.12 The development will also provide community facilities including a medical centre and a crèche. The applicant in their planning report provides quantitative evidence that the area is not particularly well served by existing health care or childcare facilities. The County Plan clearly supports the location and provision of such services within neighbourhood centres where they can be easily accessed by the local population and where linked trips can be facilitated. The Childcare Facilities Guidelines 2001 also clearly support the development of crèches in existing neighbourhood centres. I am satisfied that these uses are appropriate and sustainable at this location.

7.2.13 In conclusion, I consider that the development will regenerate the local neighbourhood centre and improve the retail offering for Shankhill. It is a sustainable and appropriate development for this long vacant site. The development will serve the day to day convenience shopping needs of the area as well as providing a range of community facilities and amenities. The development will complement the range of retail services and activities currently available in Shankhill and will augment and enhance retail provision. It is, therefore, acceptable in principle.

7.3 Traffic, Parking and Pedestrian Accessibility

7.3.1 It is stated by the appellants that the development is car centric with the majority of the site given over to car parking. It is contended that there are significant conflicts between pedestrians and vehicular traffic within the development.

7.3.2 The existing development on the site provides for 118 car parking spaces. The proposed development proposes a total of 146 car parking spaces – an increase of 28 spaces. 67 of the spaces are located in an undercroft area beneath the discount foodstore.

7.3.3 The current County Plan sets out car parking standards for different types of development as follows:

Land Use	Parking Standard	Maximum Parking Requirement
Retail Food Supermarket (2,773 sq. m.)	1 space per 20 sq. m. GFA	139
Crèche (10 staff members)	1 space per 1 staff member (including set down)	10
Café (204 sq. m.)	1 space per 15 sq. m.	14
Pharmacy (142 sq. m.) (retail comparison)	1 space per 20 sq. m. GFA	7
Medical Centre	2 spaces per consulting room	8
Total		178

7.3.4 The level of parking proposed is, therefore, within the maximum permissible numbers. Spaces for the mobility impaired, parent and child and motor bikes are also provided. ESB charging points are located in the undercroft car parking area. It is noted that considering the mixed use nature of the development, there is likely to be commercial synergy and shared usage of spaces by patrons. I am satisfied, therefore, that the level of parking proposed is adequate. The provision of a large portion of the parking within the undercroft area of the discount foodstore is

welcomed. This provides for a more effective use of the site and ensures that a more attractive public realm can be facilitated.

- 7.3.5 Whilst the appellants concerns that the development will reinforce a car centric destination are noted, it is considered that this has to be balanced with the reality that the majority of convenience shopping trips are undertaken by private car. Sufficient parking must, therefore, be provided to prevent overspill parking to surrounding residential areas. In this context, the quantum of parking is considered appropriate. It is noted that the development has been designed to encourage greater pedestrian permeability than the current scheme. Additional pedestrian access points are provided for around the perimeter of the site ensuring ease of access to the development from surrounding residential areas.
- 7.3.6 In addition, the entrance to the store and the proposed public plaza are located to the southwest of the site in response to a natural pedestrian desire line from the south from Shankhill Village. Furthermore, the proposed development provides for significantly enhanced cycle parking over the existing centre with 58 bicycle parking spaces as opposed to 20 spaces in the current centre. I am satisfied, therefore, that the development has been designed to accommodate alternative modes of transport. It is also well served by public transport, including the DART.
- 7.3.7 A number of specific design points are raised by the appellant and it is stated that the development will result in a traffic hazard to pedestrians. The applicant has submitted a detailed landscape strategy for the site. Within the site, dedicated pedestrian footpaths with a minimum width of 1.8 metres are proposed. As a result of the Quality Audit the width of some of the internal paths has been increased to 3 metres to allow both pedestrians and cyclists to pass each other safely. The paths are delineated with a different surface material and provide for clear pedestrian linkages through the development and between the different land uses. Landscape features including planters are proposed to encourage pedestrians to use the dedicated pathways to access the main entrance of the store.
- 7.3.8 Dedicated pedestrian crossings are provided for within the development. A raised table is also proposed to the central internal road to reduce traffic speeds. A raised crossing at the Beechfield Manor entrance will give pedestrians priority when

crossing the entrance. The user experience of the external path on Corbawn Lane will also be enhanced by the relocation of ESB poles to the back of the footpath.

- 7.3.9 A detailed Quality Audit demonstrating the compliance of the development with DMURS has been submitted. A number of design modifications to the layout of the development are detailed to comply with this. I am satisfied, therefore, that the development provides for an appropriate level of pedestrian permeability and that there is unlikely to be any significant or adverse risks to pedestrian safety.
- 7.3.10 Concerns have also been raised regarding HGV access and the adequacy of the crèche drop off zone. It is noted that a swept path analysis has been undertaken which indicates that service vehicles can adequately access the site. It is noted that discount foodstore operators typically only have one large HGV delivery per day from a centralised distribution centre and deliveries normally take place before normal opening hours. I am satisfied, therefore, that the proposed servicing arrangements are adequate and can be accommodated satisfactorily.
- 7.3.11 The crèche is served by a set down area that can accommodate 3 no. spaces. Autotrack analysis submitted as part of the Further Information Response shows that the layout has been designed to cater for cars accessing and exiting the crèche drop off.
- 7.3.12 It is noted that the Transportation Department of Dun Laoghaire Rathdown County Council had no objection or concerns regarding the development from a traffic perspective subject to conditions. The applicant has submitted a detailed Traffic and Transport Assessment with their application as well as a Road Safety Audit and a full Quality Audit. The development will replace an existing neighbourhood centre and having reviewed the technical information on file, I would agree that it has been demonstrated that the road network has adequate capacity to accommodate the development. I am satisfied that the layout of the development in terms of pedestrian accessibility, parking layout and quantum and HGV access is satisfactory and that the development will not give rise to any significant adverse traffic impacts. Accordingly, I recommend that the development should not be refused on traffic grounds.

7.4 Design and Visual Impact

- 7.4.1 The appellants set out in their appeals that it is considered that the development constitutes an inappropriate out of town box in a village centre and contrary to the Design Principles set out in the Retail Design Manual 2012. Concerns are raised regarding the scale and bulk of the development, the extent of blank facades and the lack of ground floor frontage.
- 7.4.2 In response to the appeal the applicant has submitted a detailed appraisal of the development in the context of the urban design principles set out in the Guidelines and the Development Plan, as well as photomontages and Visual Impact Assessment.
- 7.4.3 In reviewing the detailed information, I would concur with the applicants that the subject site poses particular challenges. As it is an island site, bound on all sides by public roads, it is difficult to screen the back of house areas as all facades are clearly visible. A balance, therefore, has to be struck between the operational requirements of the anchor retailer and design innovation that facilitates a modern retail format while contributing to the attractiveness and viability of the neighbourhood centre as a place to work, shop and visit. It is noted that the applicant has to an extent departed from their standard generic retail format and the design and layout has been considered having regard to the sites topography, context and location.
- 7.4.4 The proposed mix of uses provided for in three separate buildings, all composed of differing materials provides a degree of visual relief and the location of the bulk of the car parking in the undercroft area facilitates an enhanced public realm and better utilisation of the site. The site due to its location is not constrained to having to assimilate within an existing streetscape and the topography and sunken nature of the site allows for a building of greater height to be accommodated.
- 7.4.5 The principle visual and physical connection to Shankhill is to the south west of the site. Here a landscaped plaza area comprising contrasting paving types, planting beds and trees framed by a double height café is proposed. Extensive double height glazing is proposed on the western and southern elevations, clearly expressing the entrance to the store. Random stone cladding and high level fenestration is proposed on the northern elevation to break up its massing. The planting of cherry trees along the northern boundary will further soften this elevation. It is considered

that the treatment of the principal facades along the public roads creates a greater degree of animation than the current scheme. The elevation to Corbawn Lane is animated by the mixed use building and the crèche.

7.4.6 Extensive landscaping is proposed throughout the site including the planting of over 50 trees. Some mature trees will be retained within the development. Whilst the development will result in the loss of 2 sycamore trees, it is detailed in the arboricultural assessment that these are diseased. This planting will help reduce the visual impact of the development and significantly enhance the appearance of the site. The additional pedestrian access points proposed will create opportunities for enhanced surveillance. The diversity of uses proposed will provide for different levels of activity at different times of the day.

7.4.7 I am generally satisfied that the development provides a positive modern architectural response to the site. I do however, have some concerns regarding the architectural treatment of the north east corner of the discount foodstore. This is effectively the rear of the servicing dock and comprises a bulky corner feature clad in select metal wall cladding sheeting. The treatment of this element of the façade can be clearly shown in photomontage 2. It is considered somewhat incongruous and dominant. It is considered however, that the visual impact of this element could be enhanced through a revised elevational treatment that would break up the massing of the elevation further. There is potential to incorporate additional glazing to the staircore. This can be addressed by way of condition.

7.4.8 Concerns have also been raised regarding the impact of the development on the protected structures to the north of the site namely St. Anne's Church and Beechfield Manor Nursing Home. The application site is separated from the protected structures by existing public roads. The discount foodstore is set back c. 49 metres from the church and c. 50 metres from the nursing home. The height of St. Anne's Church is clearly dominant compared to the proposed discount foodstore. As detailed in the Conservation Report submitted with the application, the development will remain relatively low scale in relation to the surrounding protected structures. Its considerable set back from the adjacent protected structures will diminish any negative visual impacts. The development remains subservient in views towards the protected structures, particularly from the south. I am satisfied that the development will have no adverse impact on the setting or context of the protected structures.

7.4.9 Concerns have been raised by the Corbawn Residents Association regarding the treatment and landscaping along the Shanganagh Road reservation. The applicant has been clarified that it is proposed to implement Option 1 as submitted in the response to Further Information (18th August 2017) which provides for a landscaping strip along the wall. A further drawing is submitted with the appeal response indicating the landscape measures. This is considered acceptable. With regard to corporate signage, it is noted that the extent of signage was significantly reduced at Further Information stage. 2 no. large elevational corporate signs are proposed on the southern and western elevations. A further 2 smaller elevational signs are proposed on the eastern and northern facades. These 2 latter signs are considered excessive and it is recommended that they be omitted by way of condition.

7.4.10 In conclusion, with the exception of the two protected structures located to the north of the site, the general character of the area is suburban with no particularly significant views or prospects. I note the location of the appeal site and the established character of the area and the fact that the proposal seeks to replace an existing structure which currently provides little by way of enhancement of the public realm and contributes little to the streetscape. In this context, I would consider that the area has capacity to absorb new development without any significant adverse visual impacts and that the design approach is generally acceptable subject to appropriate finishes, landscaping and modifications to the north east elevation of the discount foodstore.

7.4.11 I am satisfied that the development provides a reasonable balance in accommodating a modern retail format of sufficient design quality. The development will replace a long obsolete neighbourhood centre and will deliver a contemporary retail development with an appropriate range of land uses. The development generally accords with the principles of good design including quality, context, built form and character. I consider that the development will be a significant improvement over the existing centre. The landscaping, paving and lighting scheme proposed would also be an improvement on the current situation. In that context, I would not recommend a refusal of permission on the basis of design or visual impact.

7.5 Appropriate Assessment

- 7.5.1 There are a number of Natura 2000 sites within 15 km of the site including Dalkey Islands SPA; Wicklow Mountains SPA; South Dublin Bay and River Tolka Estuary SPA; North Bull Island SPA; Rockabill to Dalkey Island SAC; Ballyman Glen SAC; Bray Head SAC; Knocksink Wood SAC; South Dublin Bay SAC; Wicklow.
- 7.5.2 A screening statement has been submitted with the planning application documentation. This notes that the proposed site is located in a suburban environment with no direct hydrological or biodiversity corridor between it and the identified Natura 2000 sites. I would concur with the conclusions of the screening statement.
- 7.5.3 Having regard to the distance between the proposed development and the Natura 2000 sites, there will be no direct impacts on sites. There is no pathway connection between the subject site and the Natura sites and therefore no indirect effects occur. The development will not impact on the features of interest or conservation objectives of any of the sites.
- 7.5.4 In conclusion, having regard to the nature and scale of the proposed development, the redevelopment of an existing neighbourhood centre within an established urban area on zoned and serviced land, and the distance to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1 It is recommended that permission be granted subject to conditions for the reasons and considerations set out below.

9.0 Reasons and Considerations

- 9.1 Having regard to:

(a) The policies and objectives of the Dun Laoghaire Rathdown County Development Plan 2016-2022 including the 'Neighbourhood Centre' zoning attributed to the site and the uses normally acceptable under this zoning and

(b) The nature, scale and design of the proposed retail development,

(c) The Retail Planning Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in April, 2012;

it is considered that, subject to compliance with the conditions set out below, the proposed development would be an appropriate form of development at this location, would comply with the scale and type of development identified for these lands in the applicable planning policy for the area, would not seriously injure the visual amenities of the area 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.

10.0 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 18th day of August 2017 and as submitted to An Bord Pleanála on the 9th day of November 2017, 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. Details, including samples, of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. In this regard, samples shall be erected on site where required by the planning authority.

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

3. Prior to the commencement of the development, revised design proposals for the north eastern elevation of the discount foodstore to include revised finishes and materials and additional fenestration to the staircore, which breaks up the monolithic appearance of this element of the elevation, shall be submitted to,

and agreed in writing with, the planning authority prior to commencement of development.

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

4. The opening of the proposed discount foodstore shall not take place until the overall permitted development has been constructed in its entirety on site.

Reason: In order to ensure the realisation of the Neighbourhood Centre zoning of the site and to avoid the piecemeal development of the site.

5. (a) Advertisement and corporate signage shall be as shown on the drawings submitted to the Planning Authority on the 18th day of August 2017, save the omission of the elevational signage on the northern and eastern elevation of the discount foodstore. The proposed signage to be fixed to the projecting canopies of the mixed use building shall be reduced to 3 no. signs only. Revised drawings showing compliance with this requirement shall be submitted to the planning authority for written agreement.

(b) No additional advertisement, advertisement structure, freestanding sign, or other projecting elements including flagpoles or banners, shall be erected or displayed on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

(c) No external security shutters shall be erected on any of the commercial/retail premises unless authorised by a further grant of planning permission.

(d) No adhesive material shall be affixed to the windows or the shopfronts.

Reason: In the interest of visual amenity.

6. (a) The landscaping scheme shown on drawings number 033416_LP_01 (Landscape Design Plan) as submitted to An Bord Pleanála on the 9th day of November, 2017 shall be carried out within the first planting season following substantial completion of external construction works. All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period five years from the completion of the development, shall be replaced within the next

planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

(b) Retained trees shall be protected from damage during construction works. Within a period of six months following the substantial completion of the proposed development, any tree which is damaged or dies shall be replaced with others of similar size and species.

Reason: In the interest of visual amenity.

7. (a) Prior to the commencement of development, full details of the required relocation of the existing retaining wall in accordance with 'Retaining Wall Along Shanganagh Road – Option 1 drawing no. 60521155-SHT-10-C-0104 to accommodate the future Shanganagh Road Improvement Scheme, to be carried out at the applicant's expense, shall be agreed with the Planning Authority.

(b) Prior to the commencement of the proposed development, the applicant shall submit to the Planning Authority for written agreement a detailed plan showing the area of land between the public footpath and the proposed retaining wall to be ceded to Dun Laoghaire Rathdown County Council to facilitate the future Shanganagh Road Improvement Scheme.

(c) The applicant shall carry out at their own expense the recommendations as submitted in Appendix B of the Quality Audit prepared by Aecom and submitted to the Planning Authority on the 18th day of August 2017.

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

8. The internal road network serving the proposed development, including turning bays, loading bays, junctions, parking areas, footpaths and kerbs shall be in accordance with the detailed standards of the planning authority for such works.

Reason: In the interest of amenity and of traffic and pedestrian safety.

9. The proposed retail unit shall not operate outside the hours of 0800 to 2200 Monday to Saturday inclusive, nor outside the hours of 0900 to 2100 on Sundays or public holidays.

Reason: To protect the residential amenities of the area.

10. Deliveries shall take place between the hours of 0600 and 2000 from Monday to Friday, between the hours of 0800 and 1800 on Saturdays and between the hours of 0800 and 1400 on Sundays, Bank Holidays and Public Holidays. Deviation from these hours will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In the interest of residential amenity.

11. The demolition of the building on site and 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.

12. 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 amenities of property in the vicinity.

13. 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.

14. Public lighting on site, including light associated with signage, shall not cause excessive glare or distraction to road users or adjoining property owners. The level of illumination shall be reviewed at any time by the planning authority and any adjustments shall be made to the satisfaction of the planning authority at the developer's expense.

Reason: In the interest of residential amenity.

15. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

16. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

17. 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.

Erika Casey

Senior Planning Inspector

17th January 2018