



An  
Bord  
Pleanála

## Inspector's Report

### ABP-306251-19

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<b>Development</b>	New bus interchange facility with associated set down area.
<b>Location</b>	Liffey Valley Shopping Centre, Fonthill Road, Clondalkin, Dublin 22
<b>Planning Authority</b>	South Dublin County Council
<b>Planning Authority Reg. Ref.</b>	SD19A/0320
<b>Applicant(s)</b>	Liffey Valley Management Ltd
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant with Conditions
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Liffey Administration Ltd
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	28 <sup>th</sup> May 2020
<b>Inspector</b>	Mary Crowley

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## 1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 16.3ha is located within the Liffey Valley Centre at the interchange of the M50 Motorway and the N4 National Primary Route and approximately 8km west of Dublin City Centre. The centre is bounded to the east by the M50, to the north by the N4, the Fonthill Road to the west and the Coldcut Road to the south. The River Liffey is located to the north of the centre and forms the administrative boundary between SDCC and Fingal County Council. The centre is located within the designated Liffey Valley Major Retail Centre as identified in the CDP.
- 1.2. The centre currently comprises inter alia the existing shopping centre, a cinema, office complex, retail park, hotel, restaurants and car showrooms, served by an internal road network within the centre. The centre itself has three entrances, one both ends and a central entrance. Car parking spaces are located to the north, north-east, north-west, west and limited spaces to the south-western side. Tesco opened in 2019 to the east of the main centre with an access off Fonthill Road / Coldcut Road.
- 1.3. A set of photographs of the site and its environs taken during the course of my site inspection is attached. I also refer the Board to the photos available to view on the appeal file. These serve to describe the site and location in further detail.

## 2.0 Proposed Development

- 2.1. A 10 year permission is sought for the following 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);
  - a new bus interchange facility with associated set down area;
  - street furniture; passenger waiting shelters;
  - signage and lighting;
  - infrastructure and landscaping works
  - including road infrastructure changes;
  - access improvements;
  - 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; and
- all ancillary site services and site development works.

2.2. It is stated that the development will be maintained by an Estate Management Company.

2.3. The application was accompanied by the following:

- Planning Report
- Letter of consent from Hines Real Estate Ireland Limited to make a planning application
- Overview of proposed lighting installation
- Civil Engineering Report
- Drawings & Supplementary Reports and Drawings

### 3.0 **Planning Authority Decision**

#### 3.1. **Decision**

3.1.1. SDCC issued a notification of decision to grant permission subject to 21 conditions.

#### 3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- **Case Planner** – Recommended that planning permission be granted subject to conditions. The notification of decision to grant planning permission issued by SDCC reflects this recommendation.

3.2.2. Other Technical Reports

- **Parks & Landscape Services / Public Realm** – No stated objection subject to conditions relating to the existing trees, landscape proposals and SUDs.

- **Roads Department** – No objection subject to conditions relating to the provision of a more direct cycling / pedestrian route from the west of the development directly to the main entrances of the shopping centre; redistribution of cycling and parking to the west side of the development; concrete footpath extension; construction of proposed Toucan and uncontrolled pedestrian crossings; construction of 20 no electric vehicle charging point parking bays and provision of a minimum of 5% of mobility impaired vehicle spaces.

### 3.3. Prescribed Bodies

- 3.3.1. **Irish Water** – No stated objection subject to conditions requiring the developer to enter into a water and wastewater connection agreement prior to commencement of development.
- 3.3.2. **National Transport Authority** – The NTA supports the proposed development as it seeks to facilitate a significantly increased level of bus provision to Liffey Valley, in line with the principles and objectives of the Transport Strategy.

### 3.4. Third Party Observations

- 3.4.1. There is one observation recorded on the planning file from BMA Planning on behalf of Liffey Administration Limited. The issues raised may be summarised as follows:
  - proposals should form an integral part of the urban design strategy for the area for all stakeholders and not just the needs of the shopping centre
  - unclear how the proposals meet the vision for the area as set out in the expired LAP
  - proposal is piecemeal and premature pending the adoption of an LAP
  - it is unclear how the “Local Access Study” has taken into account the needs of the wider catchment and
  - it is considered that the requirement for a 10-year permission is too long and questions the commitment to the project.

## 4.0 Planning History

- 4.1.1. **PL06S.247283 (Reg Ref SD16A/0027)** – SDCC issued a split decision granting permission for a mixed leisure, entertainment, commercial and retail extension in the form of 3 integrated structures, large public plaza, new roundabout and refusal for a multi-storey car park. The decision was appealed by the first party and two third parties. The Board refused permission for the overall scheme for the following reason:

*Liffey Valley Shopping Centre is designated a Level 2 Major Retail Centre in the Retail Strategy for the Greater Dublin Region 2008-2016 and this designation is echoed in the South Dublin County Development Plan 2016-2022. The proposed development, comprising leisure, entertainment, commercial and retail elements, is identified as forming part of the “retail core” of the Centre in the Liffey Valley Town Centre Local Area Plan 2008-2014, as extended and would represent a significant extension to the existing facilities at the site.*

*It is considered that, in the absence of a more fully developed and integrated public transport infrastructure for accessing the proposed development, the private car will likely remain the most viable option for most users. The references in the documentation to the current level of traffic congestion difficulties on both local roads and on adjacent national roads and at important junctions have been considered and are noted.*

*It is considered that notwithstanding the strength of the planning policy support for the further expansion of the Liffey Valley Centre, as described above, and whilst acknowledging the quality of the design of the proposed development the Board is not satisfied, on the basis of the information submitted with the application and with the appeal, that the proposed development will not have a negative impact on the operation and safety of the strategic road network in the area, in particular the N4 and M50 and important junctions, and on the local road network accessing the site, thereby creating serious traffic congestion, and considers that the proposed development would be premature pending resolution of this matter. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.*

## 5.0 Policy Context

### 5.1. Regional Plans

- 5.1.1. **Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022** – The Guidelines identify Liffey Valley as a Level 2 “Major Town Centre”. The Guidelines set out a number of strategic recommendations with ER1, ER2, ER11 providing guidance on enhancing economic activity and develop infrastructure and transport corridors to enhance employment opportunities.
- 5.1.2. **Regional Spatial & Economic Strategy (RSES) 2019 – 2031** – The RSES provides the basis for the integration of land use and transport planning in the region, informing the preparation and implementation of plans, programmes and projects at all levels. Liffey Valley is identified on Level 2 of the Retail Hierarchy as a “Major Town Centre”. Regional Policy Objective 8.9 of this Strategy states that *“the RSES supports delivery of the bus projects set out in Table 8.3 subject to the outcome of appropriate environmental assessment and the planning process”*, which includes core bus corridors of 16 radial and 3 orbital routes in the metropolitan area of Dublin.
- 5.1.3. **Retail Planning Guidelines for Planning Authorities 2012** – Retail development must follow the settlement hierarchy of the state. The development management process should proactively support retail development which complies with Development Plan policies and objectives, the Retail Strategy, and which promote a viable and vital retail sector.
- 5.1.4. **Transport Strategy for the Greater Dublin Area 2016 – 2035** – A number of strategic transport infrastructure projects are proposed to be delivered within the lifetime of the strategy including the Lucan Luas commencing in the residential areas of Lucan to the south of the N4 national road, and connecting onto the Dublin City Centre. This will provide a high capacity radial service from this area to the city centre, sufficient to cater for the high transport demand along this corridor, serving Lucan, Liffey Valley and Ballyfermot along its route. Liffey Valley is also identified on the core bus network that represents the busiest bus routes in the region with high passenger volumes that requires a high frequency of bus services, which the proposal will enable. In addition the Greater Dublin Area Cycle Network Plan intends to provide a quality of service for cyclists.

## 5.2. Development Plan

- 5.2.1. The operative plan for the area is the **South Dublin County Development Plan 2016 – 2022**. The appeal site is zoned **“Major Retail Centre”** where the objective is to *“protect, improve and provide for the future development of a Major Retail Centre”*. **Section 5.2.2** sets out the retail hierarchy. Liffey Valley Shopping Centre is identified as a **Level 2 Centre**. These centres should be well connected and served by high quality public transport and should be serving population catchments in excess of 60,000 people.
- 5.2.2. **Chapter 6** of the development plan deals with **Transport and Mobility**. The overarching policy of the Council is to promote the sustainable development of the County through the creation of an integrated transport network that services the needs of communities and businesses. An identified action is the preparation of a Local Access Study for the Liffey Valley Retail Centre that also incorporates the Palmerstown, North Clondalkin and South Lucan communities and that takes full account of the need to regulate motorised traffic within these communities relative to the Liffey Valley Retail Centre, no later than two years after the 2016-2022 County Development Plan is approved.

## 5.3. Natural Heritage Designations

- 5.3.1. The site is not located within a designated Natura 2000 site. It is noted that the closest Natura site is the Rye Water Valley/Cartron SAC which is c6.5km from the appeal site.

## 5.4. EIA Screening

- 5.4.1. Having regard to the nature and scale of the proposed development, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.



## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. The third-party appeal has been prepared and submitted by Liffey Administration Limited, Managers of the Liffey Valley Retail Park Ltd and may be summarised as follows:

- **Transportation Infrastructure and Access** – The deficiencies in the transport infrastructure to support large scale expansion of the Liffey Valley Centre has been an issue for many years and was most recently in the context of the major planning application that was refused by An Bord Pleanála (Reg Ref SD16A/0027; ABP PL06S.247283). Closer review of that decision indicated concerns in relation to two sides of the transport coin, namely;
  - a) Almost complete lack of alternative public transport other than Dublin Bus
  - b) A lack of meaningful proposals for demand management measures

In the absence of meaningful measures in relation to both strands, the Board concluded that the proposed development would have a detrimental impact on the road network where analysis demonstrated that critical junctions on the M50 and N4 would be operating was above capacity

- **Local Access Study** - The “Local Access Study” was identified as a forum for consideration of the future access and public transport strategy for the Liffey Valley area and its wider catchment. the applicant has retained Systra and has submitted a “Local Access Study”. It is not clear how (a) this access study has factored in the land use strategy for the area in the context of an expired Local Area Plan and (b) how its scope has taken into account the needs of the wider catchment, not just the needs of a single stakeholder. Furthermore, the current proposals make no effort to address the issue of demand management measures to discourage private car usage at the shopping centre.
- **Land Use & Urban Design** – The expired LAP provided a clear framework as to how the lands are to be developed. It is unclear how the proposals in this application are consistent with this or an alternative “vision” for this area. The consideration of the transportation proposals for the existing and future Liffey Valley Town Centre can only be set in the context of the urban designs strategy for

the overall area which will ultimately determine the appropriate location and shape of the transport interchange proposals. The current bus interchange proposals represent a piecemeal approach to the development of Liffey Valley Town Centre and, on this basis, the current application is premature pending the adoption of an Urban Design Framework / Local area Plan (based on comprehensive and independent Local access Study).

- **10 Year Permission** – SDCC has rejected the applicants request for a 10 year permission as sought.

## 6.2. Applicant Response

6.2.1. The first party response to the appeal has been prepared and submitted by Avison Young and may be summarised as follows:

- It is requested that the Board deem the appeal to be vexatious given that it has been lodged only as a counterstroke following appeals previously made by the applicant in relation to proposed developments at the Liffey Valley Retail Park.
- The Local Access Study was prepared following comprehensive consultation with the National Transport Authority, South Dublin County Council and Transport Infrastructure Ireland and was based on feedback from face to face interviews and online surveys with over 1,000 visitors to Liffey Valley living in the study area.
- The Study contains an integrated package of measures for encouraging sustainable travel to Liffey Valley and the wider community addressing walking and cycling, public transport, local road improvements, car park access and management and smarter choices / mobility management.
- The proposal has received support from the National Transport Authority and will deliver a number of measures that were set out in the Local Access Study
- Whilst the proposed development represents a short term measure to reduce the number of trips to the centre by car, it forms part of a wider long term strategy to create an integrated transport network for Liffey Valley and the surrounding area.

### 6.3. **Planning Authority Response**

- 6.3.1. SDCC is satisfied that the proposed development the subject of appeal is consistent with Development Plan Policies and National Planning Policies as set out in the planning report. It is stated that the National Transport Authority made a submission, however due to technical difficulties it was not included in the planning report, it is understood that it was positive towards the development. The Planning Authority respectfully request that An Bord Pleanála uphold the decision to grant permission subject to conditions, including limiting the permission to five years.

### 6.4. **Observations**

- 6.4.1. There are no observations recorded on the appeal file.

### 6.5. **Further Responses**

- 6.5.1. There are no further responses recorded on the appeal file.

## 7.0 **Assessment**

- 7.1. Having regard to the information presented by the parties to the appeal and in the course of the planning application and my inspection of the appeal site, I consider the key planning issues relating to the assessment of the appeal can be considered under the following general headings:

- Principle
- Local Access Study
- Piecemeal Development
- 10 Year Permission
- Conditions
- Appropriate Assessment
- Other Issues

### 7.2. **Principle**

- 7.2.1. The purpose of this application is to increase the capacity for additional bus services to transport customers to the Liffey Valley Centre, whilst also improving accessibility

for patrons. In the this regard the development proposes enhancements and upgrades to the public transport infrastructure in addition to the cycle and walking facilities at the Centre. The proposal is also is making substantial changes to the road layout, car parking layout, introducing traffic management measures and improvements to footpath / cycleway / public lighting. The existing herringbone configuration, whereby spaces are provided at an angle to the central aisle are proposed to be replaced with spaces that are perpendicular to the central aisle.

7.2.2. With regard to the loss of 263 car parking spaces I note the report of the SDCC Road Section and agree that the existing parking provision was based on much higher provision guidance than applies today and that the provision of a public transport interchange and additional works as outlined will reduce the reliance on the private car and justify lower parking provision. In addition, the introduction of signalised junctions will improve the management of traffic flows to and from the centre.

7.2.3. It is considered that the design of the bus interchange together with landscaping proposals are acceptable in terms of visual aesthetic.

7.2.4. As documented the site is located in an area which is zoned “MRC” where the objective is “*to protect, improve and provide for a Major Retail Centre*”. Liffey Valley Shopping Centre is designated as a Major Retail Centre. Therefore, the proposed development of transport, access improvement, car parking, retail kiosk and advertising structures are permitted in principle within Zoning Objective “MRC”.

### 7.3. **Local Access Study**

7.3.1. The appellant submits that the Local Access Study does not take into account the overall needs of the wider area (i.e. Liffey Valley Town Centre) and does not address issues previously raised by An Bord Pleanála in relation to PL06S.247283 (Reg Ref SD16A/0027)

7.3.2. The applicant states that a Local Access Study for the Liffey Valley Area was prepared as part of a collaborative process between Hines Real Estate Ireland Limited (Asset & Development Manager for the centre), South Dublin County Council, the National Transport Authority and Transport Infrastructure Ireland which provided guidance for the Liffey Valley Shopping Centre and how to promote sustainable transport. The overall Vision Statement for the Liffey Valley Shopping Centre Local Access Study is to “create a sustainable, efficient and attractive transport network connecting Liffey

Valley with South Lucan, North Clondalkin and Palmerstown to support the social, economic and environmental wellbeing of the local area". As part of this study, approx. 1,500 members of the public and staff participated and provided feedback on current transport trends and barriers to using alternative means of transport, such as public transport, walking and cycling to access the centre.

7.3.3. The Study has not formed part of the planning application and has not been made available with the appeal file. However it is stated that the study concluded that Liffey Valley should consider an improved car park layout, improved public transport services, the introduction of car park access and management measures, the provision of a way finding system and the inclusion of new technologies in all future developments on site. The conclusions and recommendations from this study have informed the proposal that is the subject of this planning application.

7.3.4. The Study identified a range of short, medium and long term sustainable transport measures guided by:

- A detailed understanding of the condition of the existing transport network and the demand for travel in the Liffey Valley, Clondalkin, Palmerstown and Lucan Area
- Feedback from face to face interviews and online surveys with over 1,000 visitors to Liffey Valley living in the study area
- A detailed understanding of the future demand for travel arising from local growth at Liffey Valley, planned developments in the wider community (e.g Clonburris and Adamstown) and planned growth in the wider Greater Dublin Area
- Planned local transport improvements as set out in the South Dublin County Councils Development Plan 2016 – 2022, as well as strategic transport infrastructure such as Bus Connects and recommendations for improving the Fonthill Road and N4 Interchange.

7.3.5. As set out in the documents submitted as part of this application, the Liffey Valley Access Study contains an integrated package of measures for encouraging sustainable travel to Liffey Valley and the wider community addressing walking and cycling, public transport, local road improvements, car park access and management and smarter choices / mobility management.

7.3.6. It is stated that the proposals contained in this application represent many of the short-term recommendations of the Liffey Valley Access Study and are aligned with the

broader plans of the SDCC, NTA and TII. The proposed transport measures will encourage sustainable travel to Liffey Valley through:

- The delivery of a safer walking and cycling environment
- The provision of a first-class bus interchange and layover are facilitating enhanced bus service delivery to Liffey Valley
- Enabling improved bus journey times both now and in the future and
- Improved wayfinding for cars to and from Liffey Valley

7.3.7. I am satisfied that the proposed measures contained in this application will support the long-term sustainable development of Liffey Valley Shopping Centre and the wider estate and will give residents in the local area a wider choice of sustainable travel options. I am further satisfied that the proposed development will not have a negative impact on the operation and safety of the strategic road network in the area, in particular the N4 and M50 and important junctions, and on the local road network accessing the site.

#### **7.4. Piecemeal Development**

7.4.1. The appellant submits that the current bus interchange proposals represent a piecemeal approach to the development of Liffey Valley Town Centre and is premature pending the adoption of a Local Area Plan.

7.4.2. It is stated that the NTA were engaged at an early stage during the preparation of this application along with other statutory bodies such as SDCC and TII and that these bodies were also involved in the extensive consultation process that took place to inform the preparation of the Local Access Study. In this regard, it is submitted that the proposal has been shaped through collaboration, workshops and important discussions over a long period of time with the primary statutory bodies responsible for transport infrastructure at Liffey Valley.

7.4.3. I am satisfied that Bus Interchange will assist in creating a modal shift towards sustainable transport modes and reduce dependency on the private car for trips to the Centre. Further the proposal preserves the emerging preferred route for the Lucan Luas which would link Dublin City Council and Lucan via Liffey Valley and additionally still allow for the future provision of a park and ride facility.

7.4.4. I agree with the applicant that the proposed development represents one element of a wider long-term strategy to create an integrated transport network that serves Liffey Valley Shopping Centre and the surrounding area. This development will not jeopardise the long-term transport infrastructure projects that have been identified for Liffey Valley as part of the Transport Strategy for the Greater Dublin Area 2016 – 2035. The proposed scheme is integral to the Liffey Valley Town Centre and I do not therefore consider this scheme to be piecemeal development.

## 7.5. **10 Year Permission**

7.5.1. The 10 year planning permission is sought to give flexibility in the delivery of this strategic public transport infrastructure for the Liffey Valley area in line with national strategies. As stated previously the infrastructure proposed is required to improve the access to public transport and cycling facilities and improve the management and movement of cars and car parking serving the Liffey Valley Shopping Centre.

7.5.2. In this regard I agree with the Planning Authority that it is imperative that the delivery of the new bus interchange facility, road infrastructure changes, new bicycle facilities and all the associated works occurs in a timely manner. While it is acknowledged that the proposed development also addresses the need for strategic transport infrastructure it does not justify the need for a 10-year permission. In line with Condition No 19 of the notification of decision issued by SDCC it is deemed appropriate to attach a similar condition in the event of a grant of planning permission limiting the duration of permission to five years.

## 7.6. **Conditions**

7.6.1. I note the specific conditions attached by SDCC in relation to cycle storage and parking facilities (Condition No 4), cycle route (Condition No 5), roads (Condition No 6), signage (Condition No 14), signage details (Condition No 15), litter bins (Condition No 16), the bus stop / shelter (Condition No 18) and materials and finishes (Condition No 20). A number of these conditions are in line with the recommendations of the SDCC Roads Department. I consider these conditions to be reasonable and integral to the proper planning and sustainable development of the scheme and recommend that should the Board be minded to grant permission that similar conditions be attached. Condition No 4, 5, 6, 7, 8, 9, 10 and 11 below refer.

## 7.7. **Appropriate Assessment**

7.7.1. Having regard to the nature and scale of the proposed development and its 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

## 7.8. Other Issues

7.8.1. **Development Contributions** – South Dublin County Council has adopted a Development Contribution scheme under Section 48 of the Planning and Development Act 2000 (as amended); South Dublin County Council Development Contribution Scheme 2016 – 2020 (updated 01/01/2020). The scheme before the Board does not fall within any category identified in the Definitions Exemptions and Reductions section of the scheme. Accordingly, it is recommended that should the Board be minded to grant permission that a suitably worded condition be attached requiring the payment of a Section 48 Development Contribution in accordance with the Planning and Development Act 2000.

## 8.0 Recommendation

8.1. I have read the submissions on file and visited the site. Having due regard to the provisions of the Development Plan, together with all other issues arising, I recommended that permission be **granted** for the following reasons and considerations.

## 9.0 Reasons and Considerations

9.1. Having regard to the sites location within an area zoned Major Retail Centre in the South Dublin County 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



## 10.0 Conditions

1.	<p>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.</p> <p><b>Reason:</b> In the interest of clarity</p>
2.	<p>The planning permission shall have a five-year duration with the permission expiring five years from the date of the final grant of permission.</p> <p><b>Reason:</b> In the interest of clarity and the proper planning and sustainable development of the area.</p>
3.	<p>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.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>Prior to commencement to development, the developer shall submit the following for the written agreement of the Planning Authority:</p> <ul style="list-style-type: none"> <li>a) The exact numbers of bicycling parking spaces at each entrance, a greater proportion of bicycling parking shall be located to the west, adjacent to the residential developments</li> <li>b) Details of the number, type and location of secure cycle storage facilities weather protected and contained within areas subject to public realm lighting in accordance with Council policy and requirements for the developments for the development as approved to address secure cycle</li> </ul>

	<p>storage requirements for the entire development as approved. All cycle storage facilities shall provide for:</p> <ul style="list-style-type: none"> <li>▪ Cycle security and frame locking in accordance with Garda advice or requirements and shelter or weather protection in accordance with Council requirements and</li> <li>▪ Construction with durable materials, suitably finished, ventilated and</li> <li>▪ Maintenance of all cycle storage facilities in good condition in perpetuity</li> </ul> <p><b>Reason:</b> In order to ensure that the site is adequately provided with secure cycle storage facilities to encourage and facilitate the most sustainable travel patterns and to ensure that adequate facilities are provided for cyclists and those who wish to use sustainable means of transport in accordance with proper planning and sustainable development as set out in the South Dublin County Council Development Plan.</p>
6.	<p>Prior to commencement of development the applicant / developer shall submit for the written agreement of the Planning Authority an amended site layout drawing showing a demarcated defined cycle route through all carparks 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.</p> <p><b>Reason:</b> In the interest of cyclist safety</p>
7.	<p>The development hereby permitted shall:</p> <ol style="list-style-type: none"> <li>a) Construct concrete footpath extensions 2.0m in width and to a depth of 150mm and shall be steel reinforced</li> <li>b) Construct the Toucan and uncontrolled pedestrian crossings as per the plans and particulars submitted</li> <li>c) Provide a total of 20 electric vehicle charging point parking bays within the development</li> <li>d) Provide a minimum of 5% mobility impaired vehicle spaces within the development</li> </ol>

	<b>Reason:</b> In the interest of road and traffic safety
8.	<p>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. Such lighting shall be provided prior to the making available for occupation of any house.</p> <p><b>Reason:</b> In the interests of amenity and public safety</p>
9.	<p>The developer shall:</p> <ul style="list-style-type: none"> <li>a) Provide for the maintenance, repair and upkeep of the bus stop / shelter at all times which the structure is in the public realm and</li> <li>b) Provide and maintain appropriate facilities for litter disposal or the avoidance of litter arising from the use of the stop for public transport journeys and</li> <li>c) Ensure that any display panels are not lit in a manner so as to cause excessive glare or distraction to road users or any harm to the amenity of any adjacent property owners and</li> <li>d) Provide for the level of illumination to be reviewable at any time by the Planning Authority and adjustment made by the applicant owner or developer at their own expense if required to do so in the interests of traffic or public safety and</li> <li>e) When the bus stop / shelter is no longer required as a bust stop / shelter, the bus stop / shelter and all advertising panels and equipment shall be removed from the site, and the site within the public realm shall be fully reinstated to the satisfaction of the Plannign Authority and the Councils Area Engineer.</li> </ul> <p><b>Reason:</b> In the interests of the proper planning and sustainable development of the area and in the interests of public safety.</p>
10.	<p>Litter bins shall be provided adjacent to the bus interchange facility and shall be placed so as not to obstruct passing pedestrians and thereafter be maintained for as long as the use approved in a clean and tidy manner. Full details of all litter bins required regarding design, signage (if any)</p>

	<p>specification and location shall be agreed in writing with the Planning Authority prior to commencement of work on site.</p> <p><b>Reason:</b> To discourage littering and to prevent an accumulation of litter in this location and in the interest of visual amenity and public health.</p>
11.	<p>The materials and finishes of the bus interchange facility and in particular the sheltered public waiting area shall be submitted for written agreement with the Planning Authority prior to commencement of work on site.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
12.	<p>(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.</p> <p>(b) Prior to commencement of development, the developer shall submit 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 for written agreement with the Planning Authority.</p> <p><b>Reason:</b> To protect the visual amenities of the area</p>
13.	<p>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:</p> <p>(a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development</p> <p>(b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings</p> <p>(c) details of proposed street furniture, including bollards, lighting fixtures and seating</p> <p>(d) details of any proposed boundary treatments including heights, materials and finishes</p>

	<p>The landscaping shall be carried out in accordance with the agreed scheme.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
14.	<p>Prior to commencement of development the applicants / developer shall submit for the written agreement of the Planning Authority and Arboricultural Impact Report for the proposed development. 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.</p> <p><b>Reason:</b> To facilitate the identification and subsequent protection of existing trees on the site, which represent an important amenity and should be substantially maintained</p>
15.	<p>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.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity</p>
16.	<p>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.</p> <p><b>Reason:</b> In order to safeguard the amenities of property in the vicinity</p>
17.	<p>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.</p>

	<p>A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.</p> <p><b>Reason:</b> In the interest of amenities, public health and safety</p>
18.	<p>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.</p> <p><b>Reason:</b> 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.</p>

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**Mary Crowley**

**Senior Planning Inspector**

**20<sup>th</sup> August 2020**