



An
Bord
Pleanála

Inspector's Report ABP-308288-20

Development

Demolition of trolley bay and glazed entrance lobby, construction of new glazed entrance lobby, covered canopy providing for click and collect facility, new trolley bay, alterations to facades, internal alterations, glazed canopy over existing pedestrian walkway in car park, new totem sign, additional signage and site works.

Location

Knocklyon Shopping Centre,
Knocklyon Road, Dublin 16.

Planning Authority

South Dublin County Council

Planning Authority Reg. Ref.

SD20A/0095

Applicant(s)

Musgrave Operating partners Ireland.

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellant(s)

Brian Sherry.

Observer(s)

None

Date of Site Inspection

9th December 2020

Inspector

Fergal Ó Bric.

1.0 Site Location and Description

- 1.1. The appeal site comprises the Knocklyon Shopping Centre with its surface car parking area to its south, which fronts onto the Knocklyon Road, a spur off the R114, the Firhouse Road, east of the M50. The Shopping Centre comprises a Supervalu supermarket along with a number of smaller individual retail shops and a café, all within a red bricked commercial building. Site levels fall from the Knocklyon Road in a northerly direction towards the shopping centre. There are block boundary walls along the eastern and northern site boundaries.
- 1.2. Vehicular access to the Shopping Centre is off Idrone Avenue, west of the site, along which is a dedicated turning lane into the commercial facility. There are two pedestrian accesses to the site, along the southern and south-eastern site boundaries. There is a pedestrian crossing to the south of the site, across the Knocklyon Road, at its junction with the Scholarstown Road. Service access for deliveries/bins is to the west and north of the building and hidden from public view.
- 1.3. There is established residential development to the east, west and south of the appeal site. To the north of the appeal site is St. Colmcille's Catholic Church, Community Centre and National School.

2.0 Proposed Development

- 2.1. The development would comprise the following:
 - (i) Demolition of trolley bay and glazed entrance lobby.
 - (ii) Construction of glazed entrance lobby on south-western corner of building.
 - (iii) Development of covered canopy along the eastern wall (35 square metres, sq. m.) for click and collect facility.
 - (iv) New trolley bay on the western side of new entrance lobby area.
 - (v) Alterations to southern elevation, plaster and paint eastern brick wall.
 - (vi) Internal alterations to include seating area, toilets and relocation of post office.

- (vii) Mezzanine floor seating area (150 square metres sq . m.).
- (viii) Raised flat roof over mezzanine area to match the height of the pitched roof on the northern side of the new glazed entrance lobby.
- (viii) Glazed canopy over pedestrian walkway in car park.
- (ix) Totem pole sign at the junction of Idrone Avenue and Knocklyon Road.

The Shopping Centre has a stated site area of 1.4 hectares. The gross floor area (GFA) of the existing buildings is 5,102sq. m. The proposed works would comprise an area of 423 sq. m. and the demolition works would comprise 175 sq. m. giving an overall increase in floor area of approximately 248 sq. m.

- 2.2. A report for the proposed development has been submitted by Colman Cotter, Consultant Engineers. The report provides details of access and servicing arrangements and provides a description of and rationale for the proposed works.
- 2.3. Further information was submitted in relation to: The height of the totem pole sign; Revised click and collect proposals including an auto-track analysis of the facility and details of bicycle parking facilities.

3.0 Planning Authority Decision

3.1. Decision

On the 3rd day of September 2020, South Dublin County Council granted permission for the proposed development subject to six conditions. The following are considered to be the pertinent conditions:

Condition number 3 – Restriction on use of mezzanine area for seating purposes.

Condition number 4 –. Restriction of advertising.

Condition number 6 – Development Contributions.

3.2. Planning Authority Reports

Planner's Report:

The final report had regard to the locational context of the site, planning history and policy, the reports submitted, and the submissions received. Overall, they considered

the proposed works to be acceptable and to accord with the established commercial uses on site and with the district centre zoning objective pertaining to the site.

3.3. Other Technical Reports:

Roads Department: They sought additional information as set out in Section 2.3 above and were satisfied with the response received and subsequently outlined no objection to the proposals.

Water Services Section: No objection, subject to conditions.

Public Realm: No objections.

Environmental Health: No objection, subject to conditions.

3.4. **Prescribed Bodies**

None noted.

3.5. **Third Party Observations**

Two submissions were received, one from a local resident and the other from one from the operator of a café, within unit number 1 of the shopping centre. Issues raised include the following:

- Provision should be made for bicycle and cargo bicycle parking.
- A landscaping plan for the site should be provided to mitigate the historical removal of hedgerows to accommodate additional car parking on site.
- A rationale for the 150 sq. m. mezzanine area has not been provided.
- They object to the mezzanine area, as it could be used as a café/restaurant at a future stage.

4.0 **Planning History**

The most relevant permissions include the following:

- Planning Authority reference number SD16A/0421-In 2016, planning permission was granted for the construction of a covered canopy (48 sq. m.)

in the car park for the provision of a click and collect facility. These works have been completed.

- Planning Authority reference number SD13A/0200-In 2013, planning permission was granted for three advertisement billboards on the southern elevation and to amend the signage from Super Quinn to Supervalu. These works have been completed.
- Planning Authority reference number SD07A/0506-In 2007, planning permission was granted for the construction of a double height extension, fire escape, signage panels, block lights to front elevation, internal alterations to staff areas and freestanding signage. These works have been completed.

5.0 Policy Context

5.1. South Dublin County Council Development Plan 2016-2022

The site is zoned DC-District Centre where the objective is: To protect, improve and provide for the future development of District Centres. The Shopping Centre is identified as a District Centre in Level 4 of the South Dublin County Council retail hierarchy.

Chapter 5 pertains to Urban Centres and Retailing. Policy UC 4 pertains to District Centres which: Seeks to encourage the provision of a range of uses and maintain and enhance the retailing function of District Centres.

Section 11.28-Signage-Advertising, Corporate and Public Information.

Table 11.19: Signage-Types of signs, restrictions on use and design criteria.

Section 11.4.1: Bicycle Parking Standards.

Table 11.22-Minimum bicycle parking rates.

5.2. Natural Heritage Designations

None relevant.

6.0 The Appeal

6.1. Grounds of Appeal

The third-party appeal by a local resident raises a number of issues as follows:

- Provision of cycle parking and its security are essential in supporting cycling as a mode of transport. Cycle parking should be sited in a location that people feel safe to use at all times of the day.
- Cycle parking should be appropriately illuminated to allow adequate visibility for bicycle locking and checking of bicycle equipment.
- It is best practice that cycle parking be located in proximity to the entrance to the establishment they serve, in order that convenience and security are optimised. Locating two of the three proposed bicycle shelters on the perimeter of the site would be contrary to best practice guidelines for District Centres, where it is set out that these facilities should be centrally located and overlooked.
- Being located on the perimeter of the site would make the bicycle shelters more susceptible to vandalism. The location to the south-west of the site adjacent to the recycling receptors would be an incompatible location and would be to the detriment of the future use of the bicycle parking facilities at that location.
- A bicycle parking area within a District Centre should have some capacity to cater for a more diverse range of bicycles, including dedicated space for disabled cyclists and space for cargo bicycles.
- The location of cycle parking should be such that the time spent walking to/from the cycle parking to the desired destination does not become a disincentive to using a bicycle.

- Features to aid orientation within the car park such as pathways, planting and tactile surfacing would assist people who may be dis-orientated or those with visual difficulties.
- Clear demarcation of pedestrian, cycle and vehicle paths would be advantageous and help discourage conflicting manoeuvres within the car park.
- There should be no reduction in the level of parking space provision for disabled drivers, and if anything, the number of spaces should be improved upon.
- Alternative higher quality designs and materials should be sought for the proposed bicycle shelters and glazed pedestrian canopy.
- The use of a qualified landscape architect to work alongside the Consultant Engineers in the preparation of a well-considered layout would resolve many of the issues highlighted above in terms of sustainable transportation, traffic safety, universal access, visual amenity, commercial vitality and the proper planning and sustainable development of the area.

6.2. Applicant's Response

Brock McClure Planning & Development Consultants have submitted a response to the grounds of appeal on behalf of the first party, which includes the following:

- Many of the items included within the development proposals would allow for a more comfortable and efficient shopping experience during the Covid-19 pandemic.
- Bicycle stands are proposed immediately proximate to the entrance of the store.
- The additional bicycle stand locations are highly visible within the car park and would be passively supervised by pedestrians, patrons of the store and the car park.
- Sufficient cycle parking has been provided and this has been supported by the Local Authority.

- Applicants would accept a condition requiring agreement with the Local Authority on this matter, if deemed necessary by the Board.
- Layout and function of the car park has been duly considered by the Project Engineers and been deemed acceptable by the Local Authority.
- Applicants have a reputation for ensuring high quality design and finishes to their stores, and these high standards will continue within this project.
- The appellant has not requested that the development be refused planning permission.

6.3. **Planning Authority Response**

South Dublin County Council issued a response to the appeal as follows:

- The Planning Authority confirms its decision.
- The issues raised within the appeal submission have been addressed in the planner's report.

7.0 **Assessment**

7.1. The principle of alterations to the existing commercial building is not at issue in this instance, rather the vehicular and bicycle parking, safe circulation and access proposals. The proposals in relation to alterations and design, advertisements and servicing are considered acceptable. The following are therefore considered to be the core planning issues that arise from the appeal submission:

- Principle of Development.
- Vehicular and Cycle parking provision and safety.
- Other issues.
- Appropriate Assessment.

7.2. Principle of Development and Planning Policy

- 7.2.1. The appeal site consists a long-established district shopping centre comprising a Supervalu supermarket as the anchor store and some smaller retail units and a café within the building. As per the Land Use Zoning Objectives Map in the South Dublin County Council Development Plan, the subject site is identified as a 'DC' District Centre, where the objective is to: Protect, improve and provide for the future development of District Centres. A supermarket use is permissible in principle under this zoning objective. Table 5.1 provides the South Dublin County Retail Hierarchy, and the Knocklyon Shopping Centre is included within Level 4 of this Hierarchy.
- 7.2.2. The proposed development would provide for an improved entrance lobby, modernise the existing dated façade with the introduction of architectural panels over the existing brickwork. The brickwork along the southern elevation would be plastered over and painted. The proposals would provide for the development of a higher-quality building and improved advertising signage. Given the site is identified as a District Centre, the proposals would be in compliance with planning policy and objectives.
- 7.2.3. Although the principle of the proposals are acceptable, the impact in terms of vehicular and cycle parking, access and safety must be analysed and will be considered in the assessment below.

7.3. Vehicular and Cycle parking provision and safety

- 7.3.1. There is a single vehicular access to the site from Idrone Avenue located along the western boundary of the site. No alterations to the entrance or service/delivery areas are proposed within the current proposals. The number of car parking spaces is to be marginally decreased from 251 to 248, two of which would be located in close proximity to the proposed glazed lobby entrance, would be designated as disabled spaces. The existing pedestrian route through the middle of the car park would be enclosed. The pedestrian route would provide a direct pathway from the proposed entrance lobby to the two pedestrian access points south of the site, along the Knocklyon Road.

- 7.3.2. The proposed development will lead to a slight reduction in car parking provision in site, by approximately three spaces, which is considered modest given that there would remain approximately 248 spaces on site to serve the development. The loss of spaces would be caused by the creation of the click and collect service to the east of the building. However, this service should in turn, reduce the demand for patrons seeking a car parking space within the car park area and is therefore, considered acceptable
- 7.3.3. Provision for parking of 60 bicycles is proposed in three locations within the site. One stand with capacity for 20 bicycles would be provided immediately west of the proposed entrance lobby area. The other two bicycle stands would be provided to the south-west and south-east of the site, both approximately 75 metres removed from the entrance lobby area. I consider that these bicycle stands should ideally be located in closer proximity to the main entrance lobby in order to incentivise the use of the bicycle facilities. The bicycle stand immediately west of the main entrance lobby could be increased in size in order to increase its capacity and a revised location for the bicycle facility to the south-west of the site, away from the recycling receptors, and in closer proximity to the main entrance lobby could be provided for. This is a matter that could be conditioned, if the Board considers it appropriate to include such a condition. In terms of providing for disabled bicycle parking and parking for cargo bicycles, again this is a matter that could be conditioned, although, I note the Development Plan does not provide for such measures within Table 11.22 of the Development Plan, regarding bicycle parking provision.
- 7.3.4. The appellant has raised the issue of quality of bicycle shelter to be provided, in terms of optimising safety and functionality. They would need to be adequately illuminated in order to encourage greater use in terms of being able to lock/unlock one's bicycle and to be able to easily access bicycle equipment. The quality of materials to be used within the bicycle shelter construction would be important in terms of aesthetics and durability. These are matters that could be agreed with the Local Authority in advance of development works.
- 7.3.5. In terms of disabled and family friendly car parking, I note that there are four disabled car parking spaces provided on site at present, proximate to the proposed glazed entrance lobby. I also note, that there are ten family friendly car parking spaces

provided proximate to the proposed entrance lobby. I note that the Site Plan submitted as part of the planning documentation, only provides for two disabled spaces and no family friendly spaces. Again, this is a matter that can be addressed by means of an appropriate planning condition.

- 7.3.6. As per the additional information submitted 248 parking spaces and 60no. new cycle spaces are to be provided. The latter is in accordance with Table 11.22 of the South County Dublin Development Plan. In view of current and future public transport availability, it is noted that bus stops 1150 and 1151 are located within a short walking distance of the site on the Knocklyon and Scholarstown Roads, in this regard, there is no objection to the proposed development. Overall, it is considered the proposals are acceptable in terms of parking arrangements and safety.

7.4. **Other Issues**

- 7.4.1. The appellant states that a number of hedgerows have been removed from the appeal site in order to provide for additional car parking in the past. The site layout plan does provide for some indicative landscaping proposals within the car park area. It is considered that some low-level landscaping in tandem with the proper marking and lining of the designated vehicular, pedestrian and cyclist area within the car parking area would encourage greater awareness of patrons within the car park area and likely reduce the risk of collision. This is matter that could be addressed by means of an appropriate condition,
- 7.4.2. A submission received by the Planning Authority, during its consideration of the planning proposals, raised concerns about the extent of the mezzanine area and uses that may occur within that area. The planning documentation submitted shows eleven tables seating four people each within the mezzanine area. It should be conditioned that this area be used for seating purposes only, associated with the supermarket. This area should not be permitted for any commercial use, without the operators submitting a formal planning application to the Planning Authority, seeking planning permission for any change of use of the mezzanine area.

7.5. Appropriate Assessment

Having regard to the minor nature of the proposed development and its location in a serviced suburban area, 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

I recommend that permission be granted subject to the conditions below.

8.1. Reasons and Considerations

Having regard to the provisions of the South Dublin County Council Development Plan 2016-2022, the relevant planning history of the application site, the established commercial use on site and to the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development, which is a permitted use under the District Centre land use zoning, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would be in acceptable in terms of traffic, cycle and pedestrian safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

9.0 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 6th day of August 2020, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the

development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed mezzanine area shall only be used for seating purposes only ancillary to the supermarket and shall not be used for any commercial use unless a formal grant of planning permission is obtained in this regard.

Reason: In the interest of clarity and in the interest of residential amenity.

3. Prior to the commencement of development details of the following shall be submitted to, and agreed in writing with, the planning authority:
 - (a) Details of the materials, colours and textures of all the external finishes to the proposed buildings.
 - (b) Increased bicycle parking capacity within the bicycle shelter immediately west of the proposed glazed entrance lobby.
 - (c) The relocation of the bicycle shelter to a location more proximate to the main entrance lobby
 - (d) Precise details of the materials to be used within the bicycle parking shelters and glazed pedestrian walkway, including provision of adequate illumination.
 - (e) A landscaping scheme for the site, comprising of low-level soft landscaping shall be provided within and around the perimeter of the car park area. A timeframe for the implementation of the landscaping scheme shall be agreed in writing with the Planning Authority
 - (f) A minimum of four disabled spaces and ten family friendly car parking spaces shall be provided in close proximity to the new glazed lobby entrance. These spaces shall be permanently demarcated.

(g) The car park area shall be appropriately lined, demarcating the car parking spaces, pedestrian and cyclist pathways.

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

4. (a) The proposed totem pole shall not exceed 6m in height or 3m in width at its widest point. This and other signage hereby permitted shall not be illuminated outside of the opening hours of the main supermarket and all lighting and signage associated with the shopping centre shall not be illuminated after opening hours.

(b) No advertisement or advertisement structure (other than those shown on the drawings submitted with the application) shall be erected or displayed on the building (or within the curtilage of the site) in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the

development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to 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.

Fergal Ó Bric
Planning Inspectorate

7th day of January 2021