



GVA Planning

An APLEONA company

Report

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Submission

On behalf of Tesco Ireland Ltd.

Significant Further Information for a
Part X Application for the College
Green Project – Ref. No. PL29S.JA0039

December 2017

AN BORD PLEANÁLA	
TIME <u>6:00</u>	BY <u>Hand</u>
07 DEC 2017	
LTR DATED _____	FROM <u>GM</u>
PL _____	

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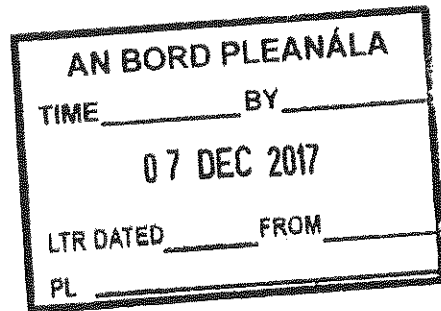
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Prepared By: Simon Bradshaw

Status: Final

Final Date: December 2017

For and on behalf of GVA Planning and Regeneration Limited



1. Introduction

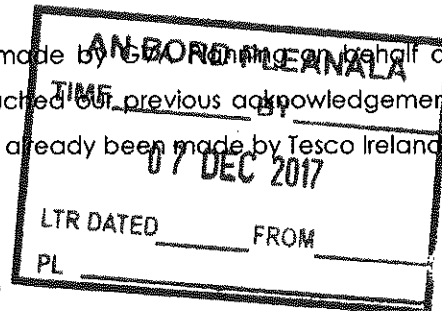
This submission has been prepared by GVA Planning, 2nd Floor, Seagrave House, Earlsfort Terrace, Dublin 2, on behalf of Tesco Ireland Limited, Gresham House, Marine Road, Dún Laoghaire, Co. Dublin in response to the significant further information submitted to An Bord Pleanála as part of Dublin City Council's application (Reg. Ref. PL29S.JA0039) for a new Civic Plaza at College Green, Dublin 2. Tesco, being a recognised and established part of the retail environment in Dublin City and having a presence on College Green, welcomes the opportunity to make a submission on the further information submitted as part of this application process.

With regards to this submission our Client wishes to highlight the following matter;

- Our client continues to have serious concerns with regards the provision of loading bays/facilities for the south side of College Green.

We are grateful for the opportunity to outline our Client's ongoing concern to ensure that any proposal for College Green supports the proper planning and sustainable development of the area. This submission reiterates points made in our previous submission on this application, as the previous submission does not appear to have been adequately considered by the Applicant in their further information response.

We would note that a submission has already been made by GVA Planning on behalf of Tesco Ireland Ltd. with regard to this case and we have attached our previous acknowledgement as an appendix to this document. Given that a submission has already been made by Tesco Ireland there is no fee required with this submission.



2. Further Information Request

An Bord Pleanála requested further information on 9 no. matters, however, this submission is only concerned with the response to further information request no. 2. This request sought the following;

"Provide a comprehensive assessment of the impacts of the proposed traffic management measures (direct, indirect and cumulative) taken in conjunction with other traffic management proposals for the city centre on all transport modes. This should make particular reference, but not be limited to the proposals set out in the Dublin City Centre Transport Study, the Transport Strategy for the Greater Dublin Area 2016-2035 and the Greater Dublin Area Cycle Network Plan. The assessment shall include a description and assessment of how changes in traffic routes for vehicle/changes in traffic flows (other than buses) will impact on individual streets in the vicinity, designated pedestrian routes, on access to commercial

premises and residents, on the operational needs of businesses including access to loading/unloading facilities, car parks (both private and public). The assessment shall address the wider city implications of removing traffic from College Green and the adequacy of infrastructure. Appendix 6.1 should be amended to include a 'do-nothing' scenario where the 2018 traffic flows are modelled on the current road network and traffic management regime. Appendix 6.1 should then indicate the differences between a 'do-nothing' and 'do-minimum' and 'do-something' scenario. Details of the modelling methodology used throughout the EIAR should be clarified."

Having reviewed the further information submission that was prepared by the Applicant, our Client continues to be concerned with certain aspects of the proposal and these will be addressed in detail below.

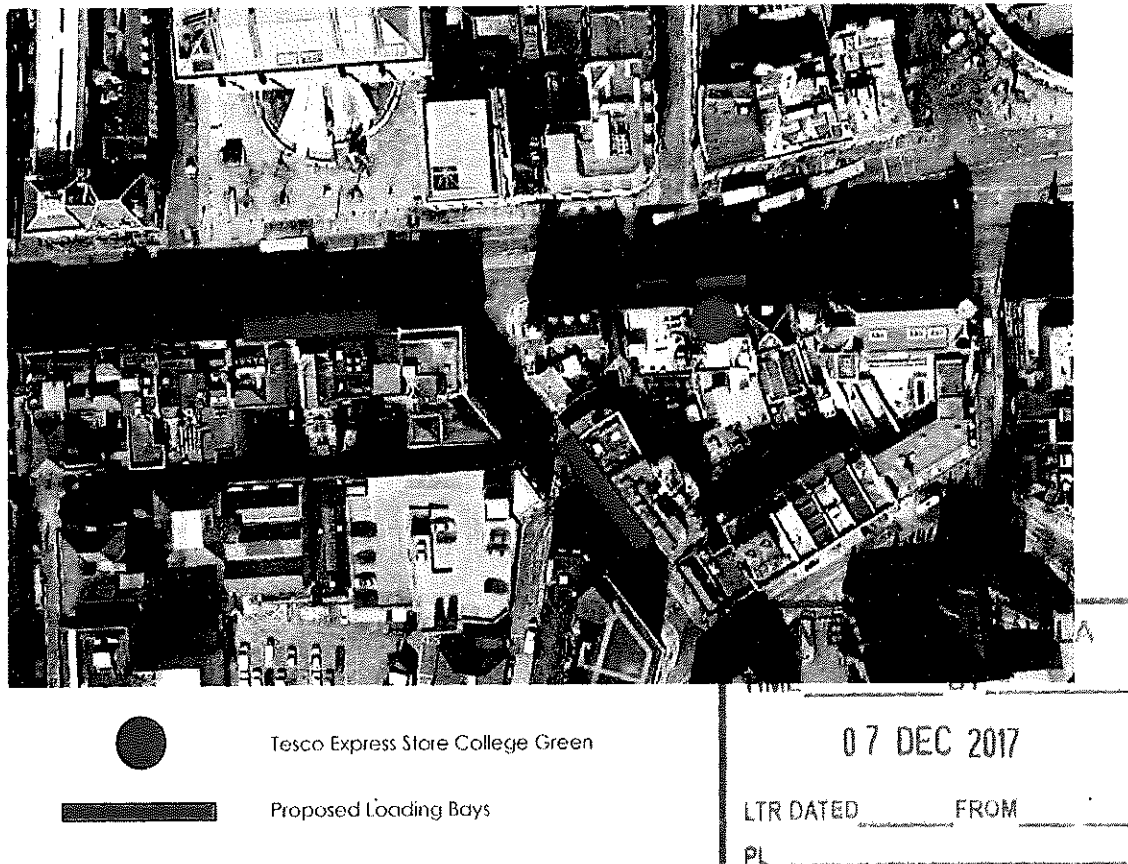
3. Grounds of Submission

The proposal in its current form will have a significant impact on the delivery of goods to our Client's store which is located on the southern side of College Green, within the block of commercial premises directly west of Church Lane. At present, deliveries are carried out to the front of the store, early in the morning. This location is a mix of double yellow lines and bus stops and it is permissible for commercial vehicles to load and unload on double yellow lines for up to 30mins¹.

The further information recently submitted as part of the ongoing application process has once again failed to adequately address the concerns of retailers on College Green. As seen in Figure 1, Dublin City Council continues to propose no space within an adequate distance of the Tesco store at College Green to carry out essential deliveries. As noted in our previous submission, whilst there are loading bays further west and south on Dame Street and on Trinity Street respectively, they do not provide appropriate solutions for delivery. Both of the loading bays noted above are relatively removed from the Tesco Express store on College Green as indicated on Figure 1 below. Should Tesco Ireland be forced to use these loading bays, there is an increased health and safety risk compared to the existing situation where delivery vehicles can load and unload on the double yellow lines outside the Tesco Express store. The health and safety concern is based on the fact that delivery staff would have to roll heavy cages of goods from Dame Street to College Green, including crossing a busy pedestrian/vehicular junction. Transporting cages in this way would require a one-way trip of approximately 70m, which is a significant increase compared to the current arrangement. Another loading bay is located on Trinity Street, however, due to the incline of this street it would not be practical to undertake deliveries at this location as it would be difficult to control the heavy cages on such an incline. Both of these options present significant health and safety risks and as such if the proposal proceeds in its current form it could jeopardise the viability of retailers at this location.

¹ Road Traffic (Traffic and Parking) Regulations, 1997, Article 5(3)(c)

Figure 1: Tesco Express and Proposed Loading Bays



As noted above the method of delivery that our Client currently uses will be removed if the proposal is granted in its current form. This is due to the fact that it is proposed to locate a mandatory cycle lane in front of the Tesco store as well as landscaping to the east of the store which will result in delivery vans being unable to stop outside of the store. Regular deliveries are important for convenience retailers, particularly early morning deliveries which ensure that fresh produce is available for customers. Tesco Ireland has stressed the importance of deliveries throughout the preparation of this scheme, as well as during the preparation of the Dublin City Centre Transport Study. It is disappointing that after c. 2 years of engagement on College Green and other transport studies that the needs of retailers has been ignored without adequate consideration.

It is also important to highlight that part of the further information submitted by Dublin City Council could be easily misinterpreted and it could be believed that Dublin City Council are proposing to provide loadings bays/delivery areas along the south side of College Green. This, however, is not the case and it should be noted that the colour used to outline commercial premises in the figure below (Figure 2 below which is Figure 2.25 of the EIAR) is also the same colour as that used to identify loading bays on another image included in the EIAR (See Figure 3 below which is Figure 2.24 of the EIAR). Essentially the updated images provided as part of the EIAR do not address how deliveries will be made to those premises which are located on the south side of College Green, west of Church Lane. Furthermore, we note that the Applicant specifically addressed a number of submissions as part of

their further information response; however, they did not address the submission made on behalf of our Client. Given the failure of the Applicant to acknowledge or address our Client's submission and their unwillingness to provide practical and safe delivery solutions for the south side of College Green, west of Church Lane, we would ask the Board to carefully consider the proposed scheme, as it could lead to the closure of retail premises, which would not be in the best interests of the proper planning and sustainable development of the area.

Figure 2: Figure 2.24: Existing and Proposed Time-Limited Loading bays

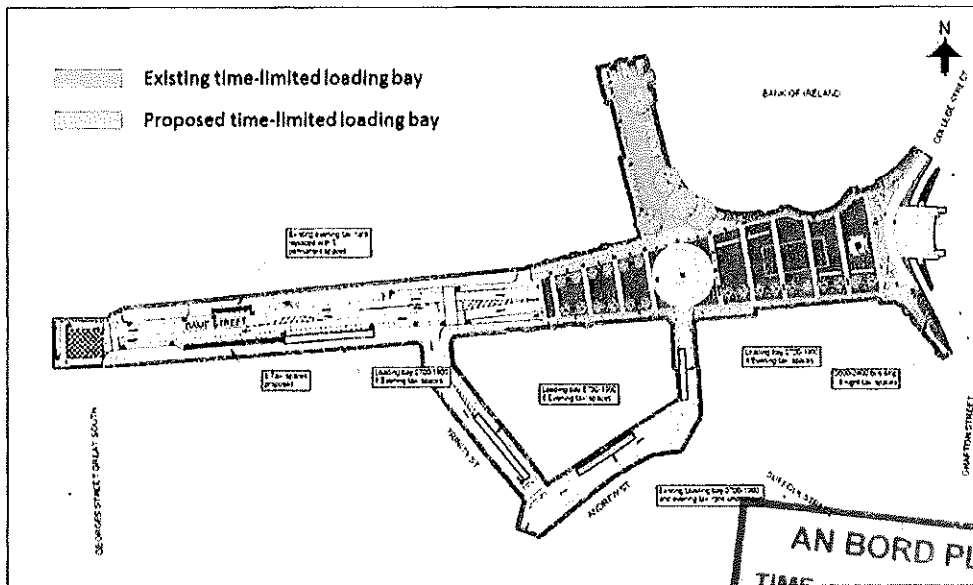
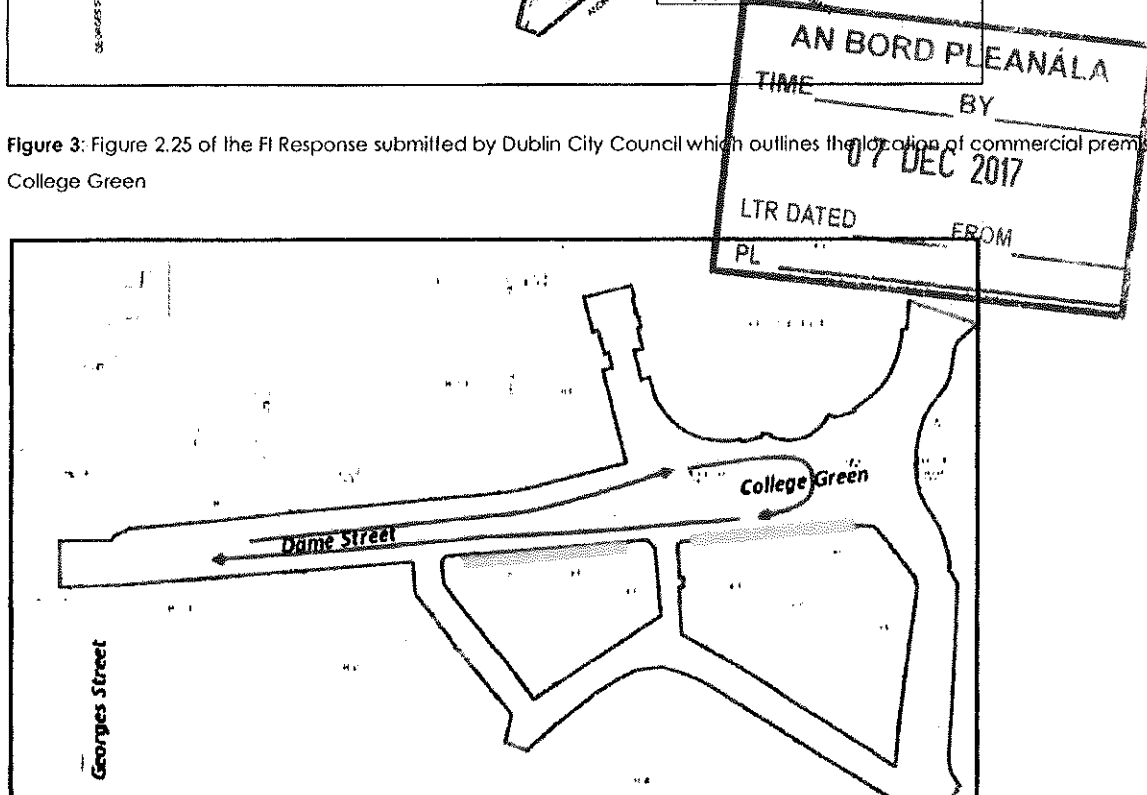


Figure 3: Figure 2.25 of the FI Response submitted by Dublin City Council which outlines the location of commercial premises on College Green



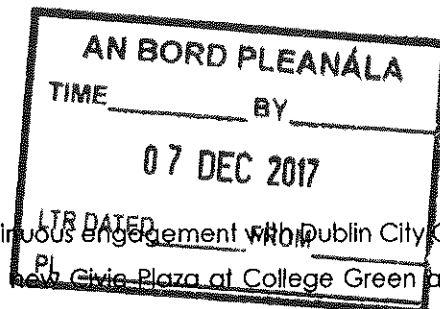
It is our opinion that there are a number of potential solutions to the outlined flaws within the current design. For example, the provision of a loading bay on College Green subject to a number of restrictions would adequately address the needs of retailers who generally receive deliveries in the early morning. An appropriate space for deliveries could be provided with restrictions to ensure that vehicles do not use the area throughout the day. If deliveries were restricted to a number of hours in the early morning then it would mitigate the concern raised by our Client and also provide a safe environment for all road users. It is our opinion this would be a more practical option as retailers would not be negatively impacted upon, as they are likely to be as part of the current proposal. If this solution is not adopted or conditioned as part of the granting of permission for this development then it is submitted that permission should be refused for the proposal. As outlined in our previous submission and above, Dublin City Council has not adequately considered the needs of existing retailers despite their insistence that they have. The delivery solutions that Dublin City Council has proposed will endanger the health and safety of staff and pedestrians.

Based on the above we would request that An Bord Pleanála review the current proposal and consider how it will detrimentally impact upon retailers on the south side of College Green, west of Church Lane. We would note that the change in traffic/parking outlined in the FI response has not considered the potential impacts on deliveries at this location adequately. Furthermore the socio-economic impact report (submitted in response to FI Request No. 9) has also not considered how a restriction on deliveries could be detrimental to retailers. As such it is submitted that the current proposal including the further information is insufficient and will have a detrimental impact on retailers and businesses in the area. A lack of regular deliveries could result in businesses no longer being viable and result in shops closing, which would not be in the interests of the proper planning and sustainable development of the area.

4. Conclusion

This submission to An Bord Pleanála follows on from continuous engagement with Dublin City Council surrounding our Client's concern over the proposal for a new Civic Plaza at College Green and the associated Traffic Management proposals. Whilst our Client supports the principle of the development, the aim of this engagement has been to highlight the need of Tesco Ireland Limited, an established retailer on College Green, for sufficient delivery space in close proximity to their store. More specifically, Tesco Ireland Limited has outlined their serious concern that the closest loading bay to their store, as per the proposal, is approximately 70m away. It is our opinion that this is not adequate and that this option has the potential to create a serious health and safety risk to staff as well as pedestrians using what is a busy footpath in the centre of the City.

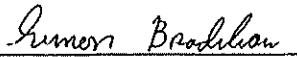
This submission has reiterated these points as the further information submitted to An Bord Pleanála by the applicant has failed to address the concerns of our Client and what we consider to be a serious



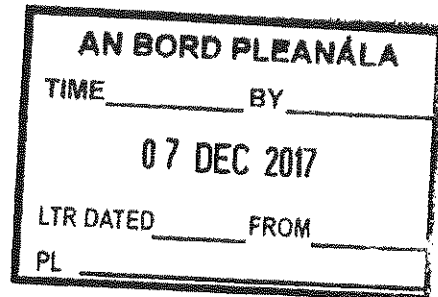
health and safety issue. We, therefore, request that the Board consider whether the proposed development will adequately support the proper planning and sustainable development of the area.

Should the Board require any further details on the submission above please do not hesitate to contact the undersigned.

Yours sincerely,



Simon Bradshaw
Senior Planner
admin@gva.ie
For and on behalf of GVA Planning and Regeneration Limited

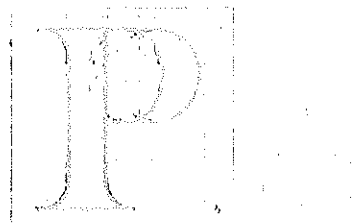


Appendix 1 – Acknowledgement of Initial Submission

AN BORD PLEANÁLA	
TIME _____	BY _____
07 DEC 2017	
LTR DATED _____	FROM _____
PL _____	

Our Ref: 29S.JA0039
P.A.Reg.Ref:

Your Ref: TESCO Ireland Ltd



Simon Bradshaw
GVA Planning
2nd Floor, Segrave House
19-20 Earlsfort Terrace
Dublin 2

05 JUL 2017

4th July 2017

Re:
Development of a new civic plaza and ancillary traffic management
measures at College Green,
Dublin.

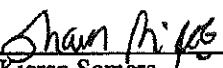
Dear Sir/Madam,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

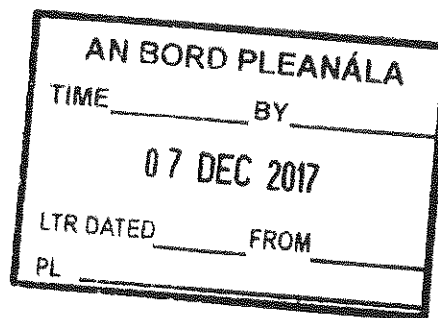
Please note that the proposed development shall not be carried out unless the Board has approved it or approved it with conditions.

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,


Kieran Somers
Executive Officer
Direct Line: 01-8737107

EI02

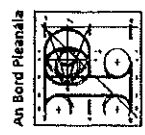


AN BORD PLEANÁLA
 BY 07 DEC 2017
 LTR DATED FROM
 PL

AN BORD PLEANÁLA
 TÁILLE REACHTUÍL
 STATUTORY FEE RECEIPT

Uimh. B
 No. B
 139272

UIMH. THAG. ABP
 ABP. REF. NUMBER
 895-3A0639



64 Marlborough Street
 Dublin 1
 64 Sráid Maolbhríde
 Baile Átha Cliath 1
 Telephone/Féileafón: 01 858 8100
 Fax/Facs: 01 872 2684
 Email/Ríomtpost: bord@pleanala.ie

RIARTHAS Ó
 RECEIVED FROM
 GVA PLANNING

Suim
 The sum of
 € 50
 ar achomharc nó ar tháille reachtúil eile mar aá thíos* (ibéalá mar is cuí)
 in respect of appeal/other statutory fee as indicated below* (tick as appropriate)

Achomharc ailt §7 Section 37 appeal	<input type="checkbox"/>	Achomharc eile Other appeal	<input type="checkbox"/>	Táille Páirtí Party fee	<input type="checkbox"/>
Iascáirt ailt §5 Section 5 referral	<input type="checkbox"/>	Togallt eile Other referral	<input type="checkbox"/>	Táille Iacháidhíne Reduced fee	<input type="checkbox"/>
Achomharc Truailliú Uisce Water Pollution appeal	<input checked="" type="checkbox"/>	Achomharc Truailliú Ailir Air Pollution appeal	<input type="checkbox"/>	Aighneacht/Breithmádhóireacht Submission/Observation	<input type="checkbox"/>
Achomharc Rialú Tógála Building Control appeal	<input type="checkbox"/>	Cás eile Other case	<input type="checkbox"/>	Iarratas ar éisteacht ó bhéal Oral hearing request	<input type="checkbox"/>

leaclocht (cárta creidimheasa,
 seic, airgead tuim nó eile)
 Payment (credit card, cheque, cash, etc.)

Card

Baile / Contas
 City / County

Dublin

Sinithe
 Signed
Colleen O'Keefe
 Dáta
 Date
 30 June 17

