

Comhairle Chontae Atha Cliath Theas

PR/0283/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD21A/0301 **Application Date:** 04-Nov-2021
Submission Type: Additional Information **Registration Date:** 03-Feb-2022

Correspondence Name and Address: Paul O'Shea, Project Design Architects Unit 1, Beech Court Business Park, Kilcoole, Co. Wicklow

Proposed Development: Additional floor area of 82sq.m ground floor and 35sq.m first floor to allow reconfiguration of 4 double rooms to 8 single rooms, new ground floor storeroom and enclosing fire exit stairs; relocation of 8 car parking spaces to extended existing car park; all associated site works; proposed material finishes to match previously approved changes to previously granted permission SD20A/0153.

Location: Millbrook Manor Nursing Home, Slade Road, Saggart, Dublin, D24A9RY

Applicant Name: Woodlawn Building Services Ltd.

Application Type: Permission

(COS)

Description of Site and Surroundings

Site Area: stated as 1.99 Hectares on the application.
Site Visit: 24th of November 2021.

Site Description

The subject site is located on Castle Road in Saggart. The site consists of an existing nursing home. The nursing home is one to two storeys in height. The site is currently under construction in regard to Reg. Ref. SD20A/0153. The extension of the north-east car parking area, being applied for under the subject application, was under construction at the time of the site visit. The site has one vehicular access off Castle Road. The Camac River runs through the site, generally northwest-southwest. Electricity pylons run through the site of the site, generally east-west and north-south.

The area surrounding the site is largely rural with a dispersed settlement pattern. There is a dwelling to the north, with a number of other dwellings further north along Castle Road on the way into Saggart. There is no footpath between the nursing home and Saggart village. There is

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an ESB sub-station and Saggart Water Works across Castle Road to the east. There are agricultural fields to the north-west, west and south.

Proposal

Permission sought for the following works:

- Additional floor area of 82sq.m ground floor and 35sq.m first floor to allow reconfiguration of 4 double rooms to 8 single rooms, new ground floor storeroom and enclosing fire exit stairs;
- Relocation of 8 car parking spaces to extended existing car park;
- All associated site works;
- Proposed material finishes to match previously approved changes to previously granted permission SD20A/0153.

Zoning

The subject site is subject to zoning objective 'RU': *'To protect and improve rural amenity and to provide for the development of agriculture'* under the South Dublin County Development Plan 2016-2022.

Consultations

Water Services – further information requested regarding surface water.

Irish Water – no objection subject to conditions.

Public Realm – no objection subject to conditions.

H.S.E. Environmental Health Officer – no report received.

Roads Department – no objection subject to conditions.

SEA Sensitivity Screening – the site overlaps with the following layers:

- Strategic Flood Risk Assessment (SFRA) Flood Zones A and B (South Dublin County Development Plan Strategic Flood Risk Assessment 2016).
- Protected Structure RPS No. 346 Stone Bridge, Castle Road, Saggart located to the south-east of the site.
- Roads Proposals – Long Term through the site.

Submissions/Observations /Representations

None received.

Relevant Planning History

SD20A/0153

Permission for 609.5sq.m, 16-bed extension to existing Nursing Home which consists of new 443sq.m two storey 14 bedroom extension adjoining existing building to the west, new 64.3sq.m

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single storey 2 bedroom extension to south west wing of existing, new 102.2sq.m 2 storey extension of existing dining areas to the north, new garden lawns and walkway with hard landscaped areas to north west of site, 8 new car parking spaces to existing car park to east of site and all associated site works. **Permission granted.**

SD19A/0039 & ABP Ref. ABP-304293-19

1,962.9sq.m extension to existing Nursing Home which consists of new 1,292.7sq.m, two storey 36 bedroom extension above new 503.5sq.m basement level staff areas and storage adjoining existing building to the west; 64.3sq.m single storey, 2 bedroom extension to southwest wing of existing; 102.4sq.m 2 storey extension of existing dining areas to the north; garden lawns and walkway with hard landscaped areas to northwest of site; 12 car parking spaces to existing car park east of site and extension of existing access road westwards towards new development with all associated site works. **Permission refused by SDCC, and ABP. ABP considered that the significant intensification of the use would contravene materially the development objective for land zoned Rural and Agricultural (RU) and therefore be contrary to the proper planning and sustainable development of the area.**

SD08A/0523 & SD08A/0523/EP

Alterations and extensions to previously approved one and a half storey nursing home (Register Reference No. SD06A/0239) to provide ancillary accommodation consisting of the following:- (1) laundry, staff changing and sanitary accommodation, stores, plant and water tank room to basement floor; (2) smoking, prayer, staff and visitors rooms, entrance porch, bin storage and additional dining, lounge and circulation areas to ground floor; (3) additional dining/lounge area to first floor; (4) internal alterations to accommodate the above including elevational revisions and all associated works. The subject is adjoined by a Protected Structure (No. 346 Stone Bridge, Castle Road, Saggart - single arch granite bridge). No works are proposed in the vicinity of this structure. **Permission granted. Subsequently Extension of Duration Permission granted.**

SD06A/0239

60 bedroom dormer design residential care home and associated access road, landscaping works and drainage installations. The subject site is adjoined by a Protected Structure (No. 346 Stone Bridge, Castle Road, Saggart - single arch granite bridge). No works are proposed in the vicinity of this structure. **Permission granted.**

SD05A/0295

Construction of a 60 bedroom residential care home and associated landscape works and drainage installations. **Permission refused as the development would encroach upon the wayleave area of an arterial watermain and the applicant has failed to demonstrate that the development would not impact this watermain.**

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S01A/0492

40 bed care centre and biocycle sewage treatment plant. **Outline permission granted.**

Relevant Enforcement History

None recorded for the subject site according to APAS.

Pre-Planning Consultation

None recorded for the subject application according to APAS.

Relevant Policy in South Dublin County Council Development Plan 2016 – 2022

HOUSING (H) Policy 3 Housing for Older People:

It is the policy of the Council to support the provision of accommodation for older people in established residential and mixed use areas that offer a choice and mix of accommodation types to older people (independent and semi-independent living) within their communities and at locations that are proximate to services and amenities.

H3 Objective 1:

To support housing that is designed for older people (including independent, semi-independent or nursing home accommodation) in residential and mixed use areas, at locations that are proximate to existing services and amenities including pedestrian paths, local shops, parks and public transport.

H3 Objective 2:

To provide for the subdivision of large houses or amalgamation of smaller houses within established areas for the purpose of providing independent, semi-independent or nursing home accommodation. Such development should be subject to the car parking standards and the standards on dwelling subdivision as set out under Chapter 11 Implementation. A Traffic Impact Statement will be required in the case of major traffic generating developments or where it is considered that there would be a significant impact on the County's road network.

INFRASTRUCTURE AND ENVIRONMENTAL QUALITY (IE) Policy 8 Casement Aerodrome

IE8 Objective 6:

To limit residential development and other land uses impacted by noise, such as nursing homes, schools, hospitals and conference centres within the Noise Significant Area Boundary delineated for Casement Aerodrome, subject to an appropriate noise assessment and mitigation measures to protect residential amenity.

INFRASTRUCTURE & ENVIRONMENTAL QUALITY (IE) Policy 3 Flood Risk:

It is the policy of the Council to continue to incorporate Flood Risk Management into the spatial planning of the County, to meet the requirements of the EU Floods Directive and the EU Water Framework Directive.

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IE3 Objective 3:

To manage flood risk in the County in accordance with the requirements of The Planning System and Flood Risk Management Guidelines for Planning Authorities, DECLG and OPW (2009) and Circular PL02/2014 (August 2014), in particular when preparing plans and programmes and assessing development proposals. For lands identified as being at risk of flooding in (but not limited to) the Strategic Flood Risk Assessment, a site-specific Flood Risk Assessment to an appropriate level of detail, addressing all potential sources of flood risk, is required, demonstrating compliance with the aforementioned Guidelines or any updated version of these Guidelines, paying particular attention to residual flood risks and any proposed site specific flood management measures.

TRANSPORT AND MOBILITY (TM) Policy 4 Strategic Road and Street Network

It is the policy of the Council to improve and expand the County-wide strategic road and street network to support economic development and provide access to new communities and development.

Table 6.6 Medium to Long Term Road Objectives: Western Dublin Orbital Route (south).

HERITAGE, CONSERVATION AND LANDSCAPES (HCL) Policy 3 Protected Structures

It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures and to carefully consider any proposals for development that would affect the special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly.

Section 3.12.0 Healthcare Facilities

Policy C11 Healthcare Facilities

Policy C11a

It is the policy of the Council to support the Health Service Executive (HSE) and other statutory and voluntary agencies in the provision of appropriate healthcare facilities, including the system of hospital care and the provision of community based primary care facilities.

Policy C11b

It is the policy of the Council to support and encourage the integration of healthcare facilities within new and existing communities that are appropriate to the size and scale of each settlement.

Section 3.15.0 Universally Accessible Community Facilities

Policy C13 Accessibility

It is the policy of the Council to promote the highest levels of universal accessibility in all community facilities.

Section 11.3.13 Healthcare Facilities

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Section 6.4.4 Car Parking
Policy TM7 Car Parking

Section 7.1.0 Water Supply & Wastewater
Policy IE1 Water & Wastewater

Section 7.2.0 Surface Water & Groundwater
Policy IE2 Surface Water & Groundwater

Section 7.3.0 Flood Risk Management
Policy IE3 Flood Risk

Section 7.5.1 Waste and Resource Policy and Legislation
Policy IE5 Waste Management

HCL Policy 1 – Overarching
Section 9.3.1 Natura 2000 Sites
Policy HCL12 Natura 2000 Sites

Section 10.0 Energy
Policy E3 Energy Performance in Existing Buildings

Section 11.4.2 Car Parking Standards
Table 11.23: Maximum Parking Rates (Non Residential)
Section 11.4.4 Car Parking Design and Layout
Section 11.4.6 Travel Plans

Section 11.6.1 (i) Flood Risk Assessment
Section 11.6.1 (ii) Surface Water
Section 11.6.1 (iii) Sustainable Urban Drainage System (SUDS)
Section 11.6.1 (iv) Groundwater
Section 11.6.1 (v) Rainwater Harvesting
Section 11.6.1 (vi) Water Services
Section 11.6.3 Environmental Hazard Management
Section 11.6.3 (i) Air Quality
Section 11.6.3 (ii) Noise
Section 11.6.3 (iii) Lighting
Section 11.6.4 Major Accidents – Seveso Sites
Section 11.6.5 Waste Management

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Section 11.7.2 Energy Performance In New Buildings

Section 11.8.1 Environmental Impact Assessment

Section 11.8.2 Appropriate Assessment

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, (2018).

Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage and Local Government, (2009).

Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020, Department of Transport, (2009).

Assessment

The main issues for assessment relate to:

- Planning History;
- Zoning and Council Policy;
- Visual and Residential Amenity;
- Landscape;
- Access and Parking;
- Services and Drainage;
- Environmental Health;
- Environmental Impact Assessment; and
- Appropriate Assessment.

Planning History

As outlined in the 'Planning History' section of this report the site was previously granted permission (Reg. Ref. SD20A/0153) for a 609.5sq.m, 16-bed extension. Previous to this the site was refused permission (Reg. Ref. SD19A/0039 & ABP Ref. ABP-304293-19) for a 1,962.9sq.m extension. The key factor between these two applications was the size of the proposals. Under SD19A/0039 the application was refused by SDCC for the following reason:

*Having regard to the provisions of the South Dublin County Development Plan 2016 - 2022, **the very significant increase in nursing home development on the site would materially contravene the 'RU' ('To protect and improve rural amenity and to provide for the development of agriculture')** land use zoning objective pertaining to the area, within which **nursing home development is not permitted.***

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Thus, the development would contravene materially a development objective indicated in the Development Plan for the zoning of land for the use solely or primarily of this area with the objective RU - 'to protect and improve rural amenity and to provide for the development of agriculture' and would be contrary to the proper planning and sustainable development of the area.

The decision was subsequently appealed by the first party to An Bord Pleanála (ABP-304293-19) and refused by the Bord for the following reason:

*The site is located in an area zoned objective Rural and Agricultural (RU) in the current development plan for the area, **wherein nursing home is not permissible. The Board considers that the significant intensification of such use on the site would contravene materially the development objective for land zoned Rural and Agricultural (RU)** as set out in the South Dublin County Council Development Plan 2016-2022 and the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

The subject application seeks to further extend the existing nursing home. In combination with the previously granted extensions it would be smaller in scale than the previously refused proposal. However, the previous reasons for refusal are still a key consideration for any further extensions to the nursing home.

Zoning and Council Policy

The subject site is within zoning objective 'RU': '*To protect and improve rural amenity and to provide for the development of agriculture.*' Within the RU zoning a 'Nursing Home' is 'Not Permitted'. It is noted that 'Housing for Older People' and 'Retirement Home' are also 'Not Permitted' within this zoning. However, the existing building/use was granted planning permission under applications Reg. Refs. SD20A/0153, SD08A/0523/EP, SD08A/0523, and SD06A/0239. When the nursing home was first granted permission, a nursing home use was 'Permitted in Principle' under the 2004-2010 CDP.

Section 11.1.1(vi) of the County Development Plan states '*There are instances throughout the County where land uses do not conform with the zoning objective of a site. These include instances where such uses:*

- 1. were in existence on 1st October 1964 (i.e. prior to planning legislation), or*
- 2. have valid permission, or*
- 3. have no permission and may or may not be the subject of enforcement proceedings.'*

In this instance it is considered that the use falls under 2. as there is a valid permission in place. 11.1.1 (vi) goes on to state that '*Development proposals that relate to uses referred to*

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under categories 1 and 2 above, particularly those that would intensify non-conforming uses, will be permitted only where the proposed development would not be detrimental to the amenities of the surrounding area and would accord with the principles of proper planning and sustainable development. This includes the integration of land use and transport planning.'

The previously refused application (Reg. Ref. SD19A/0039 & ABP Ref. ABP-304293-19) proposed an increase of 1,963sq.m which would have **represented a 74% increase in floorspace**. The reason for refusal for this application centred on the '*significant intensification*'. The granted application (Reg. Ref. SD20A/0153) provided an increase of 609.5sq.m which **represented a 23% increase in floorspace**.

The subject application totals an increase of 117sq.m in floor area. This, in addition to what was granted under Reg. Ref. SD20A/0153, equals a total of 726.5sq.m. This **represents a 27% overall increase in floorspace**. Given the scale of the increase from what was previously granted the proposal is acceptable in principle, subject to an assessment of the impact on the amenities of the surrounding area and the other relevant material planning considerations set out below.

While the proposal is acceptable in this instance, the Planning Authority would be concerned with a continued application for incremental increases in floor area. It is still the opinion of the Planning Authority that a significant overall increase would be contrary to the County Development Plan and proper planning and sustainable development of the area. It is noted that in this case the application is in response to recommendations from the Health Information and Quality Authority (HIQA) to reduce shared accommodation (change double rooms to single rooms).

Visual and Residential Amenity

The proposed development would provide for a two storey extension to Block A and single storey extension to Block B. These further extend extensions permitted under Reg. Ref. SD20A/0153. The extensions would provide for the reconfiguration of 4 double bedrooms to 8 single occupancy bedrooms at ground and first floors, additional storage at ground floor and enclosure of the fire escape stairs.

The western wing at Block A would be extended by approx. 54sq.m at ground floor and 35sq.m at first floor. This extension would still have the same roof form that was previously permitted, apart from a limited area of flat roof over ground floor. The overall height would be approx. 6.8m, same as what was previously permitted. The southern wing of Block B would be extended by a further approx. 28sq.m. The roof form and height would be the same as what was

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previously permitted. The proposed material and finishes of the extensions would match what was previously permitted.

The car parking areas would be reconfigured so that the car parking area to the south-east would be removed (8 spaces). These 8 spaces would be added to car parking areas to the north-east and near the building. At its closest point the car parking area to the north-east would be setback approx. 3.0m from the front (eastern) boundary. It is noted that these proposed works appeared to be under construction at the time of the site visit. The amalgamation of car parking areas is welcomed in terms of visual amenity. Landscaping and planting around the car parking areas, especially at the front of the site, should be **conditioned**.

The nursing home building would still be sufficiently setback from site boundaries and existing residential properties. Given the scale and design of the proposed works it is not considered that they would have a significant negative impact on visual and residential amenity.

Landscape

The Public Realm Section has reviewed the proposed development and has no objection, subject to conditions. An extract from their report is as follows:

As per previously granted Permission SD20A/0153 the following comments apply:

Existing Trees and Hedgerows

The applicant has not provided any information as to the potential impacts of the development on the existing trees/hedges within the development area. The applicant should submit a tree survey report for the trees and hedgerows within the proposed development area. This tree survey should be undertaken by a suitably qualified arborist. The report should provide detailed information on the condition and health of the existing trees and should also provide an arboricultural impact assessment.

Tree and Hedgerow Protection

To ensure the protection of the existing trees and hedgerows to be retained during the proposed development works suitable tree protection fencing must be erected prior to all construction operations occurring on site. This tree protection fencing must be in accordance with BS 5837.

Landscape Plan

A landscape scheme shall be provided which helps to integrate the development into the local landscape and through suitable planting provides visual screening, mitigation of negative visual effects and which improves local biodiversity and green infrastructure links. The applicant should propose native species where possible to encourage biodiversity and support pollinators within the landscape.

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The Public Realm Section has assessed the proposed development in accordance with the policies and objectives of the County Development Plan 2016-2022 and with best practice guidelines and recommends the following:

As per previously granted Permission SD20A/0153 the following conditions should apply;

1. Tree and Hedgerow Survey

Prior to the commencement of the development the applicant shall submit a detailed Tree Survey Report for the trees within and adjacent to the development site. This shall comprise a detailed Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan all in accordance with, BS 5837: 2012 Trees in relation to design, demolition and construction – recommendations. The report shall be carried out by an independent, qualified Arborist.

REASON: To provide for the retention and protection of existing trees in the interests of visual amenity and biodiversity, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

2. Protection of Existing Trees

In order to ensure the protection of existing trees on site, protection fencing should be installed in order to protect the existing tree during construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS 5837. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle, or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection area.

REASON: To ensure that the trees and Hedgerows on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016-2022.

In addition, the following Conditions should be applied:

3. Landscape/Planting Plan

The applicant shall provide a fully detailed planting plan for the proposed development. The planting plan should provide the following information:

- Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate*
- Implementation timetables*

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022

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4. *Implementation of Landscape/Planting Plan*

Within 6 months of the commencement of development or during the first planting season after the commencement of development the proposed planting proposals which is to include tree and hedgerow planting shall be completed. Written confirmation (with supporting photographic evidence) confirming that the tree planting and landscaping scheme has been implemented in full shall be submitted to the Planning Authority.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022.

5. *Tree and Hedgerow Bond*

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant shall lodge a Tree and Hedgerow Bond to the value of €5,000 with the Planning Authority. This is to ensure the protection of the existing boundary hedge and trees to be retained. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

REASON: to ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016

The report from Public Realm is noted and should be **conditioned** in the event of a grant of permission.

Access and Parking

The proposal would provide for the reconfiguration of car parking spaces. There would be no change to the total number of car parking spaces. The proposal would not result in an increase in the total number of residents. It is therefore not considered that additional car parking is required. Bicycle parking conditioned as part of the previous permission (Reg. Ref. SD20A/0153) is considered to be sufficient to cater for this proposal.

The Roads Department has reviewed the proposed development and has no objection, subject to conditions:

The relocation of 8 parking spaces within the development. The increase in area for the nursing should result in an additional parking space. Two of the relocated spaces should be mobility impaired to match the current SDCC county development plan requirements of 5% mobility

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impaired. The location of the proposed carparking areas should not have a major impact on the internal road layout, all spaces should have a minimum of 6m reversing distance behind them.

No Roads objections subject to the following conditions:

1. The applicant shall provide 5% of all vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging points, REASON: In the interest of sustainable transport.

The report from the Roads Department is noted. The Planning Authority agrees that the 2 mobility spaces should still be provided. This can be **conditioned** in the event of a grant of permission.

Services and Drainage

The submitted Engineering Drainage Report appears to be based on a proposal for 180sq.m and 12 car parking spaces, which is not what is being applied for. Water Services has reviewed the proposed development and requests further information:

1.1 There are insufficient SuDS (Sustainable Drainage Systems) proposed for the development. Only in exceptional circumstance are oversized pipes accepted.

Submit a report and drawing showing what SuDS are proposed for the development. Show in the report what surface water attenuation in m3 is required and provided for proposed development. SuDS are recommended to attenuate surface water.

Examples of SuDS are as follows and this is not an exhaustive list are:

- *Green roofs*
- *Tree pits*
- *Channell Rills*
- *Rain Gardens*
- *Permeable Paving*
- *Grasscrete*
- *Filter drains*
- *Swales*
- *Planter boxes*
- *Other such SuDS*

1.2 It is noted in report submitted that the discharge rate from 6 litres/second in previous development SD20A/0153 on the site is to increase to 7.9 litres/second in this application. This is not acceptable because the previous development was granted permission based on a

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discharge rate of 6 litres/second on the same site. Increasing the discharge rate would also increase the risk of flooding downstream of development.

Water Services estimates that proposed surface water attenuation of 100m³ is undersized by a factor of 3.5 for 1 in 100 year flood event and undersized by a factor of 2.2 for a 1 in 30 year flood event.

Submit a revised report to show what surface water attenuation is provided for in new and existing development. Submit a drawing to show where and what capacity (m³) proposed and existing surface water attenuation is and will provided for new and existing development. Contact Water Services in South Dublin County Council to discuss surface water attenuation calculations and attenuation proposed prior to submission of additional information.

In regard to flood risk, Water Services states that *All floor levels shall be a minimum of 500mm above the highest know flood level for the site.* The report from Water Services is noted. Given the discrepancies in the documentation and that the Camac River runs through the site, the concerns raised should be addressed by way of **additional information.**

Irish Water has reviewed the proposed development and has no objection, subject to standard conditions relating to connection agreements. This report is noted and should be **conditioned** as such.

Environmental Health

No report was received from the H.S.E. Environmental Health Officer. A **note** should be added to a grant of permission stating that the requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health. Standard **conditions** in relation to construction should be included.

Screening for Environmental Impact Assessment

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

Screening for Appropriate Assessment

The applicant has not provided information to assist the screening for Appropriate Assessment. Given the proximity of the Camac River further information in regard to surface water is required to make a screening assessment.

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Conclusion

Given the discrepancies in the submitted documentation and that the Camac River runs through the site, the concerns raised by Water Services should be addressed by way of **Additional Information** in the interests of public health, safety, the proper planning and sustainable development of the area and in order to ensure adequate and appropriate surface water drainage provision.

Recommendation

Request Further Information.

Further Information

Further Information was requested on the 7th of January 2022

Further Information was received on the 3rd of February 2022 (not deemed significant).

Further Information Consultations

Water Services – no objection subject to conditions.

Irish Water – no objection subject to conditions.

Assessment

Item 1 Requested

(a) There are insufficient SuDS (Sustainable Drainage Systems) proposed for the development. Only in exceptional circumstance are oversized pipes accepted. The applicant is requested to submit a report and drawing showing what SuDS are proposed for the development. Show in the report what surface water attenuation in m³ is required and provided for proposed development. SuDS are recommended to attenuate surface water. Examples of SuDS are as follows and this is not an exhaustive list are:

- Green roofs*
- Tree pits*
- Channell Rills*
- Rain Gardens*
- Permeable Paving*
- Grasscrete*
- Filter drains*
- Swales*
- Planter boxes*
- Other such SuDS*

(b) It is noted in report submitted that the discharge rate from 6 litres/second in previous development SD20A/0153 on the site is to increase to 7.9 litres/second in this application. This is not acceptable because the previous development was granted permission based on a discharge rate of 6 litres/second on the same site. Increasing the discharge rate would also increase the risk of flooding downstream of development. Water services estimate that proposed surface

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water attenuation of 100m³ is undersized by a factor of 3.5 for 1 in 100 year flood event and undersized by a factor of 2.2 for a 1 in 30 year flood event. The applicant is requested to submit a revised report to show what surface water attenuation is provided for in new and existing development. Submit a drawing to show where and what capacity (m³) proposed and existing surface water attenuation is and will provided for new and existing development. Contact Water Services in South Dublin County Council to discuss surface water attenuation calculations and attenuation proposed prior to submission of additional information.

Assessment:

The applicant has submitted a report and drawings in response to this request. In relation to SuDS the applicant states that 96% of the existing and proposed development is fully SuDS compliant, with 4% of the proposed development inextricably part of a previously approved and constructed oversized pipe attenuation system. The attenuation volumes required and provided, in the existing and proposed development, are outlined in the submitted report. The discharge rate has been revised back to 6 litres/second. Water Services and Irish Water have reviewed the further information submitted and have no objection subject to conditions. It is therefore considered that this item has been satisfactorily addressed.

In regard to Appropriate Assessment Screening, it is considered having regard to the nature and size of the development and connection to public services it would not require a Stage 2 Appropriate Assessment. The Ecological Impact Assessment and Natura Impact Statement mitigation measures conditioned as part of the previous amendment application should be conditioned to apply.

Development Contributions

Extension to nursing home 117sq.m

SEA monitoring

Building Use Type Proposed: Extension to nursing home

Floor Area: 117sq.m

Land Type: Brownfield/Urban Consolidation.

Site Area: 1.99 Hectares.

Conclusion

Having regard to the:

- provisions of the South Dublin County Development Plan 2016-2022,
- the established character of the area, and
- the nature and scale of the proposed development,

it is considered that, subject to the conditions set out below, the proposed development would be in compliance with Council policy, would not seriously injure the amenities of the area or of

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property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2016 - 2022 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on the 3rd of February 2022, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. Previous Permission
All conditions attached to the permission granted under Reg. Ref. SD20A/0153 to which this application will have the effect of creating modifications to, shall apply, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the previous permission.
3. Landscaping.
(a) Landscape/Planting Plan
Prior to the commencement of development the applicant/developer shall provide a fully detailed landscape and planting plan(s) for the proposed development for the written agreement of the Planning Authority. The plan(s) should provide the following information:
 - Additional soft landscaping and planting at the front of the site including around the

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front car parking area.

- Location of species types, schedule of plants noting species, planting sizes and proposed numbers/densities where appropriate.
- Implementation timetables.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022

(b) Implementation of Landscape/Planting Plan

Within 6 months of the commencement of development or during the first planting season after the commencement of development the proposed planting proposals which is to include tree and hedgerow planting shall be completed. Written confirmation (with supporting photographic evidence) confirming that the tree planting and landscaping scheme has been implemented in full shall be submitted to the Planning Authority.

REASON: To ensure satisfactory landscape treatment of the site which will enhance the character and appearance of the site and the area, in accordance with the policies and objectives contained within Section 8.3.0 Public Open Space Hierarchy and Landscape Setting of the CDP 2016-2022.

(c) Tree and Hedgerow Bond

Prior to the commencement of any permitted development or any related construction activity or tree felling on the site, the applicant/developer shall lodge a Tree and Hedgerow Bond to the value of €5,000 with the Planning Authority. This is to ensure the protection of the existing boundary hedge and trees to be retained. The bond will only be refunded upon receipt by SDCC Public Realm Section of a satisfactory post-construction arboricultural assessment, carried out by a qualified arborist and provided that the hedges/trees proposed for retention are alive, in good condition with a useful life expectancy.

REASON: to ensure the protection, safety, prudent retention and long-term viability of trees to be retained on and immediately adjacent to the site in accordance with policy G2 Objective 9, G4 Objective 5, G2 Objective 13, G6 Objective 1, HCL15 Objective 3 of the CDP 2016

4. Parking

The applicant shall provide 5% of all vehicular parking spaces for mobility impaired users, and 10% vehicular parking spaces to be equipped with electrical charging points.

REASON: In the interest of sustainable transport.

5. Flooding

All floor levels shall be a minimum of 500mm above the highest known flood level for the site.

REASON: In the interests of public health, safety and the proper planning and sustainable

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development of the area.

6. **Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €11,554.92 (eleven thousand five hundred and fifty four euros and ninety two cents), in respect of public infrastructure and facilities benefiting development within 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 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contribution shall be paid prior to commencement of development, or in such phased payments as the Planning Authority may facilitate. Contributions shall be payable at the rate pertaining to the year in which implementation of the planning permission is commenced as outlined in the South Dublin County Council Development Contribution Scheme 2021 - 2025.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

7. **That arrangements be made with regard to the payment of financial contributions in respect of the overall development, as required by Condition Nos. 13 of of Register Reference SD20A/0153, arrangements to be made prior to commencement of development.**

REASON: It is considered reasonable that the developer should contribute towards the cost of providing services and to ensure that a ready sanction may be available to the Council to induce provision of services and prevent disamenity in the development.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

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NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.


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REG. REF. SD21A/0301

LOCATION: Millbrook Manor Nursing Home, Slade Road, Saggart, Dublin, D24A9RY



Jim Johnston,
Senior Executive Planner

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 2/3/22



Eoin Burke, Senior Planner