

Comhairle Chontae Atha Cliath Theas

PR/1050/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0284 **Application Date:** 23-Jun-2022

Submission Type: New Application **Registration Date:** 23-Jun-2022

Correspondence Name and Address: Loscher Moran Design Consultants Suite 6, First Floor, Providence House, Blanchardstown Corporate Park, Dublin 15

Proposed Development: The development will consist of change of use of the existing vacant ground floor retail unit 1B to a new medical centre, comprising 3 No. consultation rooms, reception and waiting area, canteen and WC facilities and to include alterations of existing double doors on North Elevation to 2 No. single doors.

Location: Unit 1B, Tesco Extra, Liffey Valley, Fonthill Road, Clondalkin, Dublin

Applicant Name: Elaine Mulqueen

Application Type: Permission

Description of site and surroundings

Site Description

The subject site is located at Retail Unit 1b at ground floor level of the Tesco store within the covered car park and service area in the Liffey Valley Shopping Centre. The unit has dual frontage with a shopfront with 1 No. entrance door and glazing in the southern elevation within the covered car parking area associated with the shopping centre and a shopfront in the northern elevation with double entrance doors and glazing. The unit is vacant at present.

Site Area

Stated as 0.008Ha.

Proposal:

Permission is sought for the Change of Use of Retail Unit 1b from retail use (presently a vacant retail unit) to Medical Centre use with associated internal modifications to the layout of the unit resulting in the provision of 3 No. consultation rooms, a reception/waiting area and staff canteen and toilet facilities. Alterations are proposed to the northern elevation in the form of the replacement of the existing double doors with 2 No. single leaf doors (no significant alteration to their appearance). No alterations are proposed to the southern elevation. No additional floor area is proposed to the existing unit, which has an approximate Gross Floor Area of 80.3 sq. m.

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Zoning:

The site is zoned 'MRC' as per the South Dublin County Council Development Plan 2022-2028, the objective for which is '*To protect, improve and provide for the future development of a Major Retail Centre*'.

Consultations

Drainage and Water Services Department: No report received at time of writing.

Irish Water: No report received at time of writing.

Roads Department: No objection, subject to conditions.

Transport Infrastructure Ireland: No objection.

Environmental Health Officer: No report received at time of writing.

Submissions/Observations /Representations

Final date for submissions/observations – 27th July 2022.

None received.

Relevant Planning History

Subject Site

SD22A/0159

Change of use of existing vacant ground floor retail unit 1B to medical centre.

NB: This Planning Application was declared Invalid owing to deficiencies in the information provided.

Relevant Planning History of Adjacent Sites

SD22A/0280 – Tesco Extra Liffey Valley, Fonthill Road, Liffey Valley, Clondalkin, Dublin

Installation of 860 Solar PV Panels over the roof of existing retail building and all associated site works and services.

SDCC Decision: Pending, due 14th August 2022.

SD20A/0097 - Retail Unit 2, Liffey Valley Retail Centre, Clondalkin, Dublin 22, D22 N6F4

Change of use of existing retail unit to use as a hot food takeaway shop with home delivery service.

SDCC Decision: Grant Permission, subject to conditions.

SD18A/0049 - Tesco, southeast of Liffey Valley Shopping Centre/north of Coldcut Road, Clondalkin, Dublin 22.

Proposal: 1 free standing, double sided illuminated sign of 7.12m x 2.176m finished in timber cladding at the northern car park entrance.

SDCC Decision: Permission granted subject to conditions.

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SD12A/0014 & PL06S.240473 – Liffey Valley Shopping Centre, Fonthill Road, Clondalkin, Dublin 22

Proposal: Development consisting of 2 phases (1A and 1B): Phase 1A comprises the construction of (i) a retail anchor of c. 7935sq.m gross floor area (c. 3500sq.m convenience net sales area and c.1728sq.m comparison net sales area) including a licensed alcohol sales area, ancillary offices, staff facilities, bulk store and cage marshalling area at first floor level; (ii) a cafe (235sq.m) and retail services unit (180sq.m) on the first floor level; (iii) circulation space to include an atrium at ground and first floor levels; (iv) signage; (v) service yard at first floor level; (vi) 551no. car parking spaces to be provided at grade, part under first floor retail; (vii) CHP plant, ESB substation and all ancillary landscaping, site works and services; (viii) road upgrades to the following junctions - (1) St. Lomans Road-Fonthill-Bothar an Life/Shancastle Avenue roundabout junction, (2) Fonthill Road/Coldcut Road junction, (3) Bothar an Life/Ascaill an Life roundabout junctions (west and south), (4) N4/Fonthill Road off-ramp junction. Phase 1B comprises 5 ground floor retail services units (c.1041sq.m total gross) and an additional 36 car parking spaces at grade (to bring the total to 587 spaces) to be provided on completion of the east-west boulevard all on c.2.39ha site located to the southeast of the Liffey Valley Shopping Centre and north of the B & Q Unit off the Coldcut Road. An Environmental Impact Statement is submitted with this application.

SDCC Decision: permission granted subject to conditions.

SD09A/0162 & PL06S.235940 - Liffey Valley Shopping Centre, Clondalkin, Dublin 22

Proposal: 2/3 storey height retail development (18.7m over ground level) on this site of 3.22 hectares. The proposed development has a total gross floor area of c.11,787sq.m and will consist of the construction of: (a) a retail structure with a retail anchor unit of c. 9767sq.m gross floor area (3500sq.m convenience net sales area and c.2998sq.m comparison net sales area) including alcohol sales area, ancillary administration offices, staff facilities, bulk store and cage marshalling area at first floor level; (b) a cafe on the first floor; (c) circulation space to include an atrium at ground and first floor levels; (d) signage; (e) service yard at first floor level; (f) 654 car parking spaces to be provided at grade, part under first floor retail; (g) the re-alignment of the existing Ascaill an Life Road; (h) ESB substation and all ancillary plant, landscaping, site works and services all on a site of 3.22ha to the southeast of Liffey Valley Shopping Centre. This application is accompanied by an Environmental Impact Statement (EIS) which may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy. Significant Additional Information: amendments to the design, layout and position on site of the proposed retail structure including: (i) alterations to the western site boundary to incorporate a portion of the north-south pedestrian boulevard within the site; (ii) provision of an additional 722sq.m of ground floor space for future retail/service units along the western facade; (iii) 1 ground floor retail unit of 123sq.m gross at the northwestern corner; (iv) additional entrance points on the northern facade; (v) alterations to the design of the northwest corner at first floor level and addition of a southwest corner feature; (vi) alterations to facade materials throughout; (vii) revised signage proposals; (viii) alterations to the service yard and access ramp and associated landscaping.

Decision: Permission refused by An Bord Pleanála.

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SD09A/0161 & PL06S.235942 - Liffey Valley Shopping Centre, Clondalkin, Dublin 22

Proposal: Permission for the duration of 10 years for mixed use retail, commercial and civic/community developments adjacent to the existing built area of Liffey Valley Shopping Centre. The proposed development, described as Liffey Valley Town Centre Phase 2, comprises 2 primary elements: a retail extension (60745sq.m gross floor area) and a new Civic Quarter (7792sq.m gross floor area) with a total combined gross floor area of 68537sq.m. The area within the site boundaries is 18.08 hectares. The retail extension includes retail outlets (c. 38302sq.m), food and beverage outlets (c.3796sq.m), non-retail service outlets (c.3026sq.m) with associated service, storage, management, toilet and circulation accommodation, provided in 8 primary buildings, arranged alongside 1 covered street and 1 open street extending south-eastwards from the existing shopping centre. The retail extension buildings are generally 3 storey retail scale in height arranged to address streets and plazas including a covered street with a glazed roof (20.8m maximum over ground level) having glass louvered openable vents along each side, an open street and a retail plaza linking both streets on the south side. The Civic Building is 4 storeys (19.95m) high over basement level and accommodates a public library, community facilities, commercial offices (1265sq.m) and centre management suites, food and beverage outlets, enterprise units, citizen support services and public service unit, with associated circulation, storage and toilet facilities, in a building located northwest of the existing buildings of the Liffey Valley Shopping Centre and displacing existing surface carparking. The proposed development includes underground car parking under the Civic Building, additional car parking spaces at surface level and a multi-storey carpark (16.15m high) on 5 levels located east of the retail extension area. The primary development proposals are located on lands encompassed within the Liffey Valley Ring Road defined by Bothair an Life and Ascail an Life. Road and junction improvements and pedestrian crossings are proposed along Bothair an Life extending from its junction with Fonthill Road to its junction with Coldcut Road; at the junction of Coldcut Road with Fonthill Road; at the N4/Fonthill Road off-ramp, where lane improvements are proposed; and south of the pedestrian over bridge on Ascail an Life. The development also includes the re-alignment of the south eastern section of Ascail an Life. Approximately, 1,530sq.m of the existing buildings are to be demolished to facilitate redevelopment. Access to service yards is from existing private roads within the Liffey Valley Centre. The proposal includes all associated service yards, plant and equipment, including combined heat and power (CHP) plant, electricity substations, street lighting, public transport hub, landscaping and boundary treatments. Application accompanied by an Environmental Impact Statement (EIS).

Decision: Permission refused by An Bord Pleanala.

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

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Relevant Policy in South Dublin County Council Development Plan 2022-2028

Chapter 4 Green Infrastructure

Section 4.1 Methodology

G11 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Section 9.4.4 Additional Retail Floorspace and Sequential Growth

There are retail opportunity sites and vacant units in the core retail areas of Tallaght, Liffey Valley Shopping Centre and Clondalkin Town Centres. The projected population increase outlined in the Core Strategy and the associated additional expenditure will support the long-term viability of these established centres. It will also assist in reducing vacancy and provide opportunities for extension and renovation.

EDE8 Objective 6:

To facilitate and provide for the refurbishment and replacement of obsolete floorspace and promote the use of vacant floorspace within our town, village and district centres taking account of the relevant zoning and placemaking objectives.

Section 9.5.2 Liffey Valley Shopping Centre

EDE10 Objective 1:

To support Liffey Valley as a Major Retail Centre (MRC) and allow for the growth of the existing shopping centre and complementary leisure / entertainment, retail warehouse and commercial land uses.

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EDE10 Objective 2:

To support and facilitate consolidation of the quantum and quality of the retail offering at the Liffey Valley Major Retail Centre.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

Section 12.8.3 Healthcare Facilities

All planning applications for health facilities including medical practices and primary care centres should include full details to allow an understanding of the nature and extent of the proposed development, including the following:

- *Details of proposed medical or related professional activities (for example, GP, dentist, physiotherapist);*
- *Any associated commercial activity (for example, pharmacy);*
- *Proposed number of practitioners and support staff;*
- *Intended hours of operation;*
- *Confirmation of support from HSE (in the case of Primary Care Centres);*
- *Mobility management plan (in the case of large Primary Care Centres).*

Small scale medical surgeries / practices (for example, doctor / dentist / physiotherapist) are open for consideration in established areas, subject to appropriate safeguards to protect the residential amenity of the area. The applicant will be required to demonstrate a spatial rationale for the conversion of a full dwelling in the context of:

- *The availability of alternative sites in the area;*
- *The location of schools and employment;*
- *Public transport services;*
- *Existing healthcare facilities.*

COS6 Objective 1:

To facilitate the development of community-based care including primary health care centres, hospitals, clinics, and facilities to cater for the specific needs of an ageing population in appropriate urban areas in accordance with the Development Plan core and settlement strategy, consistent with RPO 9.23 of the RSES.

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COS6 Objective 3:

To support the provision of appropriately scaled healthcare facilities within existing settlements, in locations that are accessible by public transport and safe walking and cycling infrastructure.

COS6 Objective 4:

To support the provision of primary care facilities with relevant agencies, in accordance with the standard of one facility per 7,000-10,000 population as identified by the Department of Health.

COS6 Objective 5:

To liaise with the Health Service Executive and all relevant bodies to support, promote and attract potential GP, Dental, Pharmacy and all other necessary medical services, to locate within the Adamstown and Clonburris SDZs, in order to urgently meet basic growing healthcare demands of the community.

Relevant Government Policy

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

Regional, Spatial & Economic Strategy 2020-2032 (RSES), Eastern & Midlands Regional Assembly (2019)

- Section 5 – Dublin Metropolitan Area Strategic Plan, in Regional, Spatial and Economic Strategy 2019 – 2031.

Assessment

The main issues for assessment are:

- Zoning and Council Policy.
- Residential and Visual Amenity.
- Green Infrastructure.
- Drainage and Water Services.
- Car parking.
- Screening for Environmental Impact Assessment.
- Screening for Appropriate Assessment.

Zoning and Council Policy

The application site is subject to land-use zoning objective 'MRC' – *'To protect, improve and provide for the future development of a Major Retail Centre.'* 'Doctor/Dentist', 'Health Centre' and 'Primary Health Centre' uses are open for consideration on lands zoned 'MRC'.

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Criteria for Assessing Healthcare Facilities

The South Dublin County Development Plan 2022-2028 contains the following criteria in Section 12.8.3 for information to be included with all Planning Applications for Healthcare Facilities, such as the proposed development:

- *Details of proposed medical or related professional activities (for example, GP, dentist, physiotherapist);*

Although the Cover Letter prepared by Loscher Moran Design Practice dated 24th June 2022 indicates that the Applicant intends to lease the subject unit for use as a 'Medical Centre', no further detail is provided in relation to the nature of the proposed medical services to be offered to prospective patients.

- *Any associated commercial activity (for example, pharmacy);*

No detail is provided in relation to any proposed associated commercial activity at the subject unit.

- *Proposed number of practitioners and support staff;*

No detail is provided in relation to the proposed number of practitioners and support staff at the proposed Medical Centre.

- *Intended hours of operation;*

The intended operational hours of the proposed Medical Centre have not been provided.

- *Confirmation of support from HSE (in the case of Primary Care Centres);*

From the information provided it does not appear that the proposed Medical Centre is intended to be operated as a Primary Care Centre. However, should this be the case the Applicant should provide Confirmation of Support from the HSE.

- *Mobility management plan (in the case of large Primary Care Centres)'.*

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From the information provided it does not appear that the proposed Medical Centre is intended to be operated as a Primary Care Centre.

'All planning applications for health facilities including medical practices and primary care centres should include full details to allow an understanding of the nature and extent of the proposed development, including the following:

Section 12.8.3 of the Development Plan also outlines the following criteria for small scale medical practices:

'Small scale medical surgeries / practices (for example, doctor / dentist / physiotherapist) are open for consideration in established areas, subject to appropriate safeguards to protect the residential amenity of the area. The applicant will be required to demonstrate a spatial rationale for the conversion of a full dwelling in the context of:

- *The availability of alternative sites in the area;*
- *The location of schools and employment;*
- *Public transport services;*
- *Existing healthcare facilities.'*

No information has been provided by the Applicant in relation to the availability and consideration of alternative sites in the area, the proximity to schools/employment and public transport services and existing healthcare facilities. In this regard, the Applicant should be requested to provide a rationale for the proposed development in the context of the criteria outlined in Section 12.8.3 of the Development Plan.

Whilst the principle of a Medical Centre use is acceptable at this location, particularly given the accessibility of the subject site and the apparent level access to the unit which would facilitate universal accessibility, **ADDITIONAL INFORMATION** is required from the Applicant to facilitate a complete assessment of the proposal under Section 12.8.3 of the South Dublin County Development Plan.

Residential and Visual Amenity

There are no residential uses in the vicinity of the subject site, as such it is considered that the proposed Change of Use of an existing retail unit to medical centre use will not have an adverse impact on the residential amenity of adjacent properties.

In terms of the potential visual impact of the proposal, it is considered that the proposed external alterations in the form of the replacement of the existing double doors with 2 No. single leaf doors in the northern elevation will not significantly alter the appearance of the unit to render it

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inconsistent or visually incongruous with the receiving context of the Liffey Valley Shopping Centre. In this regard, it is considered that there would be no negative visual impact resulting from the proposed development.

Green Infrastructure

The subject application is comprised of the Change of Use of an existing retail unit to Medical Centre use, with no additional floor area proposed. The site is located within the M50 Corridor Primary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4) and Table 4.1. It is noted that the application does not include details of the proposed drainage layout or any SuDS measures. However, in this instance, having regard to the nature and scale of the proposal, it is considered that the subject development would not have an adverse impact on the existing Green Infrastructure Network.

Drainage and Water Services

The Applicant has not provided any information in relation to the existing and proposed drainage layout of the subject unit. It is noted that a staff canteen and accessible toilet are proposed within the newly configured Medical Centre. As such, the Applicant should be requested to provide ADDITIONAL INFORMATION in the form of an existing and proposed drainage layout drawing and details to facilitate a complete assessment of the proposed development.

Car Parking

It is noted that the subject site is comprised of a retail unit within the Liffey Valley Shopping Centre and, as such, it is considered that there is sufficient car parking in the existing car park adjacent to the southern boundary of the subject site.

The Report of the Roads Department indicated no objection to the proposed development, subject to the following conditions:

- The accessible WC must be in compliance with Technical Document M of the Building Regulations, Dec 2020.
- Applicant to consider the installation of 2no bicycle parking frames to the front of the building. Reason: To enhance active travel facilities for customers.

Transport Infrastructure Ireland have indicated no objection to the proposed development.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, 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.

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Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of a single dwelling.

Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Conclusion

The proposed development is acceptable in principle having regard to the zoning objective of the subject site and the policies and objectives of the South Dublin County Development Plan 2022-2028. However, **ADDITIONAL INFORMATION** is required in relation to the proposed development to facilitate a complete assessment of the proposal in accordance with Section 12.8.3 of the Development Plan. In addition, information is required in relation to the existing and proposed drainage and water services infrastructure.

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The Applicant is requested to provide the required information for a healthcare facility as outlined in Section 12.8.3 of the South Dublin County Development Plan 2022-2028.
2. Drainage and Water Services
The Applicant is requested to provide an Existing and Proposed Drainage Layout for the subject site to facilitate a complete assessment of the drainage and water services infrastructure for the proposed development.

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REG. REF. SD22A/0284

LOCATION: Unit 1B, Tesco Extra, Liffey Valley, Fonthill Road, Clondalkin, Dublin

Colm Harte

Colm Harte,
Senior Executive Planner

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date:

17/8/22


Eoin Burke, Senior Planner