

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0284 **Application Date:** 23-Jun-2022
Submission Type: Additional **Registration Date:** 31-Aug-2022
Information

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.

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

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.

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

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.

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

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

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.

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 southeastwards 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 Pleanála.

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

Relevant Enforcement History

None recorded.

Pre-Planning Consultation

None recorded.

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

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GI1 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:

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

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.

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.

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

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.'

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

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)'.*

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:

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

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 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

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

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.

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,

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

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

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.

Additional Information

Additional Information was requested on 17th August 2022.

Additional Information was received on 31st August 2022.

The Additional Information received was not deemed to be significant, as such the Applicant was not required to erect a Site Notice or publish a Newspaper Notice.

Submissions/Observations

No submissions / observations received.

Assessment

The following Additional Information was received from the Applicant on 31st August 2022:

- Cover Letter prepared by Loscher Moran Design Practice dated 25th August 2022.
- Drawing No. S1534-A-003 – Site Plan prepared by Loscher Moran Design Practice
- Drawing No. S1534-A-010 – Existing Drainage Layout prepared by Loscher Moran Design Practice

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

- Drawing No. S1534-A-011 – Proposed Drainage Layout prepared by Loscher Moran Design Practice

The Additional Information provided by the Applicant will be assessed below in the context of the 2 No. items of Additional Information requested by the Planning Authority on 11th August 2022:

Additional Information Item No. 1

The Cover Letter prepared by Loscher Moran Design Practice outlines the Applicant's Response to Additional Information Item No. 1, which addresses the information required under Section 12.8.3 of the South Dublin County Development Plan 2022-2028 as follows:

- (i) The proposed Medical Centre will provide General Practitioner services to members of the public.
- (ii) There is no associated commercial activity.
- (iii) It is envisaged that the proposed Medical Centre will be comprised of 6 No. full time staff, comprised of 3 No. medical staff and 3 No. support staff.
- (iv) The intended hours of operation will be 08:00 – 18:00 (Monday to Friday).
- (v) The proposed Medical Centre and is intended not to be operated as a Primary Care Centre, in this regard support from the HSE is not applicable.
- (vi) The proposed Medical Centre and is intended not to be operated as a Primary Care Centre, in this regard a Mobility Management Plan is not required.
- (vii) The Applicant has outlined a justification for the location, siting and design of the proposed Medical Centre based upon the location of the unit within an existing retail centre, accessibility via public transport, the limited number of existing healthcare facilities in the area and the availability of alternative sites in the area.

It is considered that the Applicant has satisfactorily responded to Additional Information Item No. 1 and provided a reasonable justification for the proposed Medical Centre on the basis of Section 12.8.3 of the South Dublin County Development Plan 2022-2028.

Additional Information Item No. 2

In response to Additional Information Item No. 2 the Applicant has provided an Existing and Proposed Drainage Layout prepared by Loscher Moran Design Practice.

It is noted that there are no changes proposed to the existing drainage layout on site, with all new waste pipes resulting from the proposed internal layout reconfiguration connecting to the existing infrastructure. There is an existing mains water supply within the unit constructed as part of the parent permission for the retail centre.

It is considered that Additional Information Item No. 2 has been satisfactorily addressed and that standard Drainage and Water Services **CONDITIONS** should be attached.

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

Other Considerations

Development Contributions	
Planning Reference Number	SD22A/0284
Summary of permission granted & relevant notes:	Change of Use of vacant retail unit to Medical Centre and associated internal reconfigurations.
Are any exemptions applicable?	Yes
If yes, please specify:	Change of use: In respect of a permission for change of use, where development contributions were paid in respect of the former use the contribution payable on the new use will be net of the quantum of development previously paid for. Where a contribution was not previously paid, or the original development was carried out before 1963 it shall be treated in its entirety as new development and assessed accordingly.
Is development commercial or residential?	Commercial
Standard rate applicable to development:	98.76
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	€98.76
Area of Development (m2)	80.3
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	80.3
Total development contribution due	€7,930.43

No proof of payment of a Development Contribution relating to the previous use has been received, and a development contribution has been raised in relation to the proposed Change of Use.

SEA Monitoring Information	
Building Use Type Proposed	Floor Area (sq. m)
Change of use of existing Retail Unit (No new floor area)	80.3 sq. m
Land Type	Site Area (Ha)
Brownfield / Urban Consolidation	0.008Ha

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

Conclusion

Having regard to the policies outlined in the South Dublin County Development Plan 2022-2028 and the Additional Information provided by the Applicant, it is considered that, subject to conditions, the proposed development generally adheres to the key policies, objectives and guidance and would not be contrary to 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 2022 - 2028 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 31st August 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. External Finishes.
All external finishes shall harmonise in colour and texture with the adjoining units.
REASON: In the interest of visual amenity.
3. Drainage - Irish Water.
 - (a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.
 - (b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.
REASON: In the interests of public health, the proper planning and sustainable

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

development of the area and in order to ensure adequate water supply and drainage provision.

4. **Signage.**

No advertising sign(s) or structure(s) (including any signs installed to be visible through windows), banners, canopies, flags, or other projecting elements shall be erected except those, which are exempted development, without the prior approval of the Planning Authority or An Bord Pleanála on appeal.

REASON: In the interest of visual amenity, compliance with development plan policies and the proper planning and sustainable development of the area.

5. **Hours of Operation.**

Hours of Operation: The proposed development shall be operated only between the hours of 08:00 and 18:00 (Monday to Friday), unless otherwise agreed in writing by the Planning Authority.

REASON: In the interest of the proper planning and sustainable development of the area.

6. **Minimise Air Blown Dust.**

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

7. **Construction Noise and Hours.**

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

8. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €7,930.42 (Seven Thousand Nine Hundred and Thirty Euro and Forty Three Cent), 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 contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

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.

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.

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

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

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.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

Comhairle Chontae Atha Cliath Theas

PR/1211/22

Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0284

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

Colm Harte

Colm Harte,
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: 27/09/22



Gormla O'Corrain,
Senior Planner