

# Comhairle Chontae Atha Cliath Theas

**PR/1293/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22A/0336      **Application Date:** 19-Aug-2022  
**Submission Type:** New Application      **Registration Date:** 19-Aug-2022

**Correspondence Name and Address:** BMA Planning Taney Hall, Eglington Terrace,  
Dundrum, Dublin 14

**Proposed Development:** Change of use of part of existing convent building  
(Protected Structure Ref 158) from staff  
accommodation ancillary to the adjacent nursing  
home/retirement home permitted under SD18A/0328  
to geriatric daycare centre (Ageing Well Centre) with  
all associated ancillary accommodation; internal  
alterations and improvements to the interior of the  
convent at ground, first and second floors; external  
alterations to accommodate 2 stair cores (one  
includes a lift) within the courtyard space and  
alterations to 2 existing windows to form escape  
doors and blocking up a 2nd floor window.  
Permission is also sought for all ancillary site and  
development works associated with the above.

**Location:** Presentation Convent, Convent Road, Clondalkin,  
Dublin 22

**Applicant Name:** Bartra Property (NH) Limited

**Application Type:** Permission

(AOCM)

### **Description of Site and Surroundings:**

Site Area: stated as 0.1 hectares.

#### Site Description:

The application site comprises Presentation Convent, situated between Convent Road and New Road, south of Clondalkin Village. The site contains protected structure RPS Ref. 158 (Presentation Convent & Church of Immaculate Conception, Clondalkin – Church & Convent). The wider site was granted permission for a nursing home and assisted living building under SD18A/0328 (ABP. 304708-19), development of which has commenced.

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### Proposal:

**Permission** is sought for the following:

- Change of use of part of existing convent building from staff accommodation to **geriatric day-care centre** with associated ancillary accommodation
- Internal alterations and improvements at ground, first and second floor level
- External alterations to accommodate two stair cores (one with lift) and alterations to two existing windows to provide escape doors, and blocking up one window

### Zoning:

The site is subject to zoning objective 'OS' – *'To preserve and provide for open space and recreational amenities'*.

### Consultations:

#### Internal Consultees

Public Realm – **Additional information** recommended

Roads – **Additional information** recommended

Water Services – No objection

Architectural Conservation Officer (ACO) – **Additional information** recommended

#### External Consultees

Irish Water – No objection, **conditions** recommended

Environmental Health Officer (EHO) – No objection, **conditions** recommended

Failte Ireland – No response received

Heritage Council – No response received

Department of Housing, Local Government & Heritage – No response received

An Taisce – Response received

An Comhairle Ealaíon – No response received

### SEA Sensitivity Screening

The application involves works to protected structure RPS Ref. 158 (Presentation Convent & Church of Immaculate Conception, Clondalkin – Church & Convent)

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### **Submissions/Observations /Representations**

Submission expiry date – 22 September 2022

2 no. submissions and 2 no. Councillor representations were received.

Identical submissions were received from the Save Clondalkin Convent Campaign and a joint submission from private individuals. These submissions are summarised as follows:

- Geriatric clinic welcomed but would have made more sense to include in Primary Care Centre currently under construction
- No significant change to interior or exterior of convent should be allowed
- Can't know where care staff will live – no guarantee that staff will be resident in the area and accommodation would be difficult to find for staff relocating
- Issues regarding existing car parking
- Development will increase traffic
- Zoning of site for Open Space – use not permitted
- Inaccuracies of references in applicants' documentation and disregard of new development plan
- Need for development
- Architectural conservation

Representations received from Cllr E Ó Broin and Cllr. F. Timmons summarised as follows:

- Convent protected – no change to windows or outside structure should be allowed
- Lack of car parking on site and existing issues of parking in area
- Impact of stair lift in courtyard on listed building
- Previously permitted use for staff accommodation would reduce traffic, proposed use would increase traffic
- Zoning of site – material alteration of agreed map required
- Agreement with many points raised by Save the Clondalkin Convent Campaign
- Would geriatric facility be better placed in the Primary Care Centre currently under construction
- Change of use might compromise structural integrity of the convent

### **Relevant Planning History**

**SD18A/0328:Permission granted by SDCC and Bord on appeal for** - Nursing home building comprising 155 bedrooms and all associated ancillary accommodation (7741sq.m gross floor area) in a part three, part four storey building located on the lands to the south and west of the convent building; Retirement home building comprising 14 bedrooms and all associated ancillary accommodation (916sq.m gross floor area) in a two storey wing to the south east of the convent and internally connected to the nursing home; Internal alterations and improvements to part of the existing convent building (Protected Structure) at ground, first and

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second floor levels which is to be used for nursing home staff accommodation (1203.3sq.m); The internal reconfiguration and works proposed as part of this application to the remainder of the convent building include the following: (a) subdivision of convent chapel to provide quiet room (accessed from the adjacent church only) and a new kitchen dining area with the chapel; (b) adjustment, removal and addition of partitions, services and fittings to create ensuite bathroom facilities in 25 proposed bedrooms at ground, first and second floor levels; (c) internal works to facilitate use of rooms as communal living rooms and other ancillary uses; (d) sundry internal modifications, refurbishment and improvements to rooms and circulation areas, upgrading of flooring, walls and internal doors to meet fire regulations, draught proofing windows and improving window safety; (e) sundry refurbishment works to allow for conservation and repair of building fabric, roof finishes, structure and retained fixtures; The existing parish offices and meeting rooms within the convent building are to be retained in their current use and no works are proposed to these rooms which are excluded from the current application; The development will be accessed via a vehicular and pedestrian entrances from New Road and will provide a total of 42 car parking spaces and 60 bicycle spaces; Existing vehicular entrances from New Road and Convent Road serving the church will be retained; Permission is also sought for the construction of a single storey detached substation and switch room (20.5sq.m) and 2 single storey detached store building (89.5sq.m), hard and soft landscaping, boundary treatment and all ancillary and associated site and development works; The development will also involve the demolition of existing substation and detached single storey ancillary store buildings (192.2sq.m).

### Relevant Enforcement History

**S8967:** Alleged non-compliance of condition 1 and 11a of ABP-304708-19 SD18/A/0328. **Live file.**

**S8750:** Non comp with condition no 13 of PP Granted under Reg Ref SD18A/0328-ABP PL06S-304708-19-in that item 3.2 (noise & dust) of the Construction Management Plan is not being adhered to. **Live file.**

### Pre-Planning Consultation

No Pre-Planning recorded for this specific proposal.

PP011/18 – consultation regarding previous applications SD18A/0328.

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

*Section 3.5 Built Heritage*

*Section 3.5.2 Protected Structures*

*Policy NCBH19: Protected Structures*

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

*NCBH19 Objective 1:*

*To ensure the protection of all structures (or parts of structures) and their immediate surroundings including the curtilage and attendant grounds of structures identified in the Record of Protected Structures.*

*NCBH19 Objective 2:*

*To ensure that all development proposals that affect a Protected Structure and its setting including proposals to extend, alter or refurbish any Protected Structure are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale and form. All such proposals shall be consistent with the Architectural Heritage Protection Guidelines for Planning Authorities, DAHG (2011 or any superseding documents) including the principles of conservation.*

*NCBH19 Objective 3:*

*To address dereliction and to welcome, encourage and support the rehabilitation, renovation, appropriate use and sensitive re-use of Protected Structures consistent with RPO 9.30 of the RSES.*

*NCBH19 Objective 4:*

*To support alternative uses for Protected Structures including former institutional sites in order to provide continued security of the heritage value of these buildings, attendant grounds and associated landscape features. To this end, the relaxation of site zoning restrictions may be considered in order to secure the preservation and conservation of the protected structure where the use proposed is compatible with the existing structure and where the proposed development is consistent with best practice conservation policies and the proper planning and sustainable development of the area.*

*NCBH19 Objective 5:*

*To prohibit demolition and inappropriate alterations of Protected Structures unless in very exceptional circumstances.*

*NCBH19 Objective 6:*

*To ensure that any works to upgrade the energy efficiency of Protected Structures and historic buildings are sensitive to traditional construction methods and materials and do not have a detrimental physical or visual impact on the structure. Regard should be had to the DAHG publication 'Energy Efficiency in Traditional Buildings' (2010).*

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#### *Section 3.6.1 Adapting and Reusing Historic Buildings*

##### *Policy NCBH24: Adapting and Reusing Historic Buildings*

*Support and encourage the reuse and adaptation of historic, traditional, and older vacant and derelict buildings as a key component of promoting sustainable development and achieving compact growth and as a catalyst for the revitalisation of historic village and town centres.*

##### *NCBH24 Objective 1:*

*To encourage the repurposing and reuse of older vacant and derelict structures, particularly within towns, villages and Architectural Conservation Areas.*

##### *NCBH24 Objective 3:*

*To encourage and support the delivery of projects that repair and conserve historic structures in accordance with national grant schemes for architectural conservation.*

##### *NCBH24 Objective 4:*

*To ensure the reuse, adaption and upgrade of historic buildings is in accordance with conservation principles including minimal intervention, reversibility, respectful alteration and repair.*

#### *Section 3.6.3 Climate Change Adaptation and Energy Efficiency in Historic Buildings*

##### *NCBH26 Objective 1:*

*To support and promote the retention and careful rehabilitation of historic and traditional buildings and other structures in both urban and rural contexts, in order to retain embedded energy and assist in carbon footprint reduction.*

##### *NCBH26 Objective 2:*

*To support and promote the sensitive retro fitting of energy efficiency measures and the use of renewable energy sources in traditional and historic buildings, consistent with RPO 7.40 of the RSES.*

##### *NCBH26 Objective 3:*

*To ensure that measures to upgrade the energy efficiency of historic or traditional*

*buildings are in accordance with conservation principles including minimum intervention, acknowledging their inherent architectural characteristics, techniques and materials and ensure that any upgrading measures do not have a detrimental physical or visual impact.*

#### *Chapter 4 Green Infrastructure*

##### *Section 4.1 Methodology*

*GII 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.*

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### *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 4.3 Defining the Spatial Framework*

### *Chapter 5 Quality Design and Healthy Placemaking*

#### *Section 5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach'*

##### *QDP2 Objective 1:*

*To ensure that applications for new development are accompanied by a statement from a suitably qualified person detailing how 'The Plan Approach' has been taken into consideration and incorporated into the design of the development including the materials and finishes proposed and demonstrating how the overarching principles for the achievement of successful and sustainable neighbourhoods have been integrated as part of the design proposal.*

### *Section 5.2.2 Context*

#### *Policy QDP3: Neighbourhood Context*

*Support and facilitate proposals which contribute in a positive manner to the character and setting of an area.*

### *SECTION 5.2.3 Healthy Placemaking*

#### *QDP4 Objective 2:*

*To promote a high standard of building and urban design, creating public spaces that are distinctive, safe, universally accessible and facilitate social and cultural diversity and interaction.*

### *5.2.6 High Quality and Inclusive Development*

#### *QDP7 Objective 6:*

*To ensure that development provides an integrated and balanced approach to movement, healthy placemaking and streetscape design in accordance with the requirements of the Design Manual for Urban Roads and Streets, DTTAS and DEHLG (2019).*

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#### *QDP7 Objective 8:*

*To promote and support a Universal Design Approach to residential and non-residential development – having regard in particular to the universal design principles and guidance in relation to Buildings for Everyone, Housing and Shared Space as promoted by the Centre for Excellence in Universal Design at the National Disability Authority – ensuring that all environments are inclusive and can be used to the fullest extent possible by all users regardless of age, ability or disability consistent with RPO 9.12 and 9.13 of the RSES. (See also Chapter 8: Community Infrastructure and Open Space).*

#### *5.2.9 Materials, Colours and Textures*

##### *Policy QDP11: Materials, Colours and Textures*

*Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.*

##### *QDP11 Objective 1:*

*To require the use of high quality and durable materials and finishes that make a positive contribution to placemaking.*

##### *QDP11 Objective 2:*

*To promote the use of structural materials that have low to zero embodied energy and CO2 emissions and ensure a wood-first policy on public buildings funded or part-funded by the Council.*

##### *QDP11 Objective 3:*

*To promote the reuse and recycling of materials to promote the circular economy and reduce construction and demolition waste.*

#### *Section 6.3.2 Housing for Persons with Disabilities and/or Mental Health Issues*

##### *Policy H3: Housing for All*

*Support the provision of accommodation for older people and people with disabilities and / or mental health issues within established residential and mixed use areas offering a choice and mix of accommodation types within their communities and at locations that are proximate to services and amenities.*

##### *H3 Objective 1:*

*To support housing that is designed for older persons and persons with disabilities and / or mental health issues 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 support housing options for older persons and persons with disabilities and / or mental health issues – consistent with NPO 30 in the NPF, RPO 9.1 and 9.12 of the RSES.*



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#### *Chapter 7 Sustainable Movement*

##### *Policy SM1: Overarching – Transport and Movement*

*Promote ease of movement within, and access to South Dublin County, by integrating sustainable land-use planning with a high-quality sustainable transport and movement network for people and goods.*

##### *Policy SM2: Walking and Cycling*

*Re-balance movement priorities towards sustainable modes of travel by prioritising the development of walking and cycling facilities and encouraging a shift to active travel for people of all ages and abilities, in line with the County targets.*

#### *Section 7.10 Car Parking*

#### *Section 8.7 Parks and Public Open Space*

#### *Section 8.8 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.*

##### *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.*

#### *Section 9.2.1 Green and Innovative Economy*

##### *EDE3 Objective 5:*

*To promote, through good placemaking, the delivery of places and communities which encourage employers and workers alike to live in the County, closer to their workplaces, promoting more sustainable travel and a good quality of life.*

#### *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.*

#### *Section 11.8.2 Casement Aerodrome*

##### *11.8.6 Airport and Aerodrome – Noise*

##### *11.8.7 Public Safety Zones*

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*Chapter 12 Implementation and Monitoring*

*12.3.7 Protected Structures*

*12.4.2 Green Infrastructure and Development Management*

*12.5 Quality Design and Healthy Placemaking*

### **Relevant Government Guidelines**

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

***Regional, Spatial & Economic Strategy 2020-2032 (RSES)***, 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).

***OPR Practice Note PN01 Appropriate Assessment Screening for Development Management*** (March 2021)

***Architectural Heritage Protection – Guidelines for Planning Authorities***, Department of Arts, Heritage and the Gaeltacht, (2011)

### **Assessment**

The main issues for assessment concern the following:

- Zoning and Council Policy
- Use and Visual Amenity
- Architectural Conservation
- Roads
- Green Infrastructure
- Drainage
- EHO
- Appropriate Assessment
- Environmental Impact Assessment

### **Zoning and Policy**

#### **South Dublin County Development Plan 2022 - 2028**

It is noted that under the 2022 – 2028 Development Plan, the zoning of the site has been amended to 'OS' - *'To preserve and provide for open space and recreational amenities.'* The applicant has incorrectly stated that the site is zoned 'RES' in their cover letter, not accounting for the update in the Development Plan which came into effect on 3 August 2022, altering the zoning of the site to 'OS'.

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The applicant, while incorrectly stating the land use zoning of the site as 'RES' in their cover letter, states Public Services are an 'Open for Consideration' use for the site. This is correct for the previous 'RES' zoning, relied on by the applicant, and the current 'OS' zoning of the site. Public Services are defined as '*A building or part thereof or land used **for the provision of public services**. Public services include all service installations necessarily required by electricity, gas, telephone, radio, telecommunications, television, drainage and other statutory undertakers, it includes public lavatories, public telephone boxes, bus shelters, bring centres, green waste and composting facilities.*' Based on the examples of public services listed in the definition contained within Appendix 6 of the Development Plan, it is not considered that the use would be correctly defined as Public Services, which appear to be intended for consideration as more broad uses available to the entire population, rather than the very specific service that would be provided by this use.

Under SD18A/0328 permission was granted to provide staff accommodation, ancillary to a nursing home facility, changing the use of this section of the convent building from convent associated uses to accommodation. It is noted that at the time of this permission a different Development Plan was in operation and the site was zoned RES, whereby the works could be considered as 'Permitted in Principle'.

In respect of the proposed geriatric day-care centre, there are no relevant 'Permitted in Principle' uses under the Open Space zoning objective in the current County Development Plan. Housing for Older People (where this accords with H3 Objective 4) and Restaurant / Café are 'Open for Consideration' uses under this zoning objective. The proposed development does not accord with these categories. Relevant 'Not Permitted' uses under this zoning objective include Doctor/Dentist, Health Centre, Hospital, Nursing Home, Offices less than 100 sq.m, Offices 100 sq.m – 1,000 sq.m, Primary Health Care Centre, Residential Institution and Retirement Home.

Having regard to the above, it is considered that **the use would materially contravene the zoning objective** of the Development Plan, and the proposed development should be **refused** on these grounds.

### Use and Visual Amenity

The applicant states that the building would be used to provide out-patient services across a multidisciplinary team of Tallaght University Hospital healthcare professionals to geriatric patients.

It is noted that the active reuse of existing historic buildings is desirable, the Planning Authority would have a concern about the impact of additional movements to and from the site as a result

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of the proposed geriatric daycentre. The applicant has not provided sufficient information about the anticipated number of staff or patients that would use the site, and how these movements would be accommodated within the wider site. This is further addressed by the Roads department later in this report.

### Architectural Conservation

The Architectural Conservation Officer (ACO) has reviewed the application. Their report raises the following points:

- It is of the utmost importance that the existing convent building remains used, and an integral part of the new complex associated with the church and wider community
- Further detail required in relation to alterations is required

The ACO has recommended the following **additional information** is sought:

1. *It should be noted that under the previous application concerns were raised initially with regard to the sub-division of the original principal spaces within the body of the Convent Building and in particular the Chapel (G-05) and the main GF rooms which retain a high level of architectural detail and features. It is considered that the current proposals will result in consequent changes and architectural character of the existing chapel and formal layout of the entrance hallway (G-01) and former reception/parlour room (G-02) these concerns need to be addressed;*
  - *A revised ground floor plan should be provided by way of additional information in addressing and minimising the direct impact to the original plan form and proposed use of the existing parlour/former reception rooms and chapel at ground floor level. It is felt that the modifications and interventions could be further considered in order to provide a suitable design for the new use and the necessary interventions to facilitate the use. In particular the insertion of a new reception area which could be designed within the original space without the need for changes that will directly impact on original features/opes and historic joinery.*
2. *It is proposed to create two new openings on the wall of the Chapel to facilitate air handling. The two new wall vents would be placed centrally on the west facing courtyard wall between two gothic style windows. It is considered that justification for the new air vents needs to be justified and detailed required as to why a natural ventilation source for air handling cannot be used rather than the insertion of vents which will directly impact on the original built fabric and cause an overall visual impact on existing features/joinery.*

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3. *It is proposed to provide a new waiting room and WC (G-09 & G-11) within the former communal dining room. The room will be divided to form two rooms by the insertion of a new full height partition. The majority of the room will be the new waiting room and a new Part M complaint WC will be provided in the other section of the new divided room. It is considered that the sub-division of the room will impact on the original character and plan form. It is considered that this room should be examined with regard to its requirements under the change of use.  
The requirements under Part M are recognised, however other locations for a WC should be considered as part of the overall design and feasibility within the original GF plan, in achieving a balance between the original layout and architectural character of the principal rooms and a sensitive new use.*
4. *It is recommended that all Fire safety upgrades need to be identified and detailed, allowing a full assessment of interventions and associated work. It is considered that a Method Statement and Schedule of Works is required detailing the necessary alterations, modifications and requirements for walls, floors, ceilings, doors and windows in compliance with Fire Safety and Building Regulations. It is felt that where direct impact and loss of architectural character is a consequence of required fire regs the proposals should be redesigned or revised to support the protection of the original built fabric and features of the Protected Structures, while allowing the necessary Fire compliance.*
5. *Where new exit routes/access doorways are proposed along access corridors or in particular where egress to the west side of the building is required to access the new staircase block, these have been achieved in a sensitive way. However, details of the proposed works should be included as part of a Method Statement and Schedule of Works detailing the interventions and making good of original fabric. Details shall include where possible the retention and re-use of all original doors/windows and retention of as much original joinery as possible.*
6. *In areas where new partitions are proposed details should be included as part of the Method Statement with regard to how the new partitions will be inserted. Where it has been identified in the Architectural Impact Assessment that the insertion of new partitions will result in a direct loss of architectural character or features the layout or design of the partition should be revised.*
7. *The proposed design of the new staircase towers within the courtyard will allow these new additions to read clearly within the context of the existing Convent Building. A glazed interface will provide a clear separation between the original built fabric and the new Staircase towers. However, in order to fully assess any direct impact, details of how the new staircase towers will connect to the original built fabric is required. A methodology should be provided along with a detailed Section of the junction.*

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In the event of a request for **additional information** it would be considered appropriate to request the above to ensure any works to the existing convent structure are sympathetic and appropriate given the protected status of the building. Because the application is considered to be a material contravention of the Development Plan and **refusal** is recommended, additional information is not appropriate in this instance. It is therefore considered that the applicant has provided insufficient information in relation to the protection of the integrity of the protected convent building and should be **refused** on this basis.

### Roads

The Roads Department have reviewed the application and have recommended the following **additional information** is sought:

- 1. The applicant is requested to submit a revised layout of not less than 1:200 scale showing the location and number of parking spaces to be provided for all related developments at the site. A breakdown of the day-care centre and nursing home allocation should be included with reference to Table 12.25: Maximum Parking Rates (Non-Residential) – from the SDCC County Development Plan 2022-2028*
- 2. The applicant is requested to submit a revised layout of not less than 1:200 scale showing the location and number of EV parking spaces and Bicycle parking spaces to be provided at the development. Please refer to Table 12.23 Minimum Bicycle Parking Rates– SDCC County Development Plan 2022-2028.*
- 3. The applicant is requested to submit a Transport Statement which examines the traffic impact of the proposed development and its access arrangements on the local area road network.*

In the event of a request for **additional information** it would be considered appropriate to request the above to ensure that the traffic implications of the proposed development are fully understood prior to a final decision. A number of submissions raised concerns regarding traffic and parking, and it is not considered that these items have been adequately considered in the applicant's documentation to date. Because the application is considered to be a material contravention of the Development Plan and **refusal** is recommended, additional information is not appropriate in this instance. It is therefore considered that the applicant has provided insufficient information in relation to traffic and transport and should be **refused** on this basis.

### Green Infrastructure

The subject site appears to be located within a Primary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 of the County Development Plan 2022 – 2028). There is an existing courtyard at the centre of the convent building which is predominantly grassed with a concrete path around the building edge. This courtyard would be landscaped to provide a

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multifunctional space, incorporating cycle parking, planting, grassed lawn, seating and paving. It is considered that, while some grassed area would be removed, to cater for upgraded landscaping and the proposed stair cores, the works would provide a more useable space and the loss would not be significant. The applicant should be requested to consider the use of permeable paving, or other relevant SuDS measures as part of the landscaping plan, to offset the additional hardstanding areas. This should be done by **additional information**.

The Public Realm section have reviewed the application and had no specific comments or observations to make in relation to the development.

### **Drainage**

Water Services have stated no objection to the development and have not recommended any **conditions**. Irish Water have reviewed the application and have stated no objection, recommending standard **conditions** that all works comply with Irish Water Standards codes and practices. It is considered appropriate to include these conditions in the event of a grant.

### **EHO**

The Environmental Health Officer has stated no objection to the development, recommending the following **conditions** in the event of a grant of permission:

- 1. No heavy / noisy construction equipment or machinery (to include pneumatic drills, construction vehicles, generators, etc) shall be operated on or adjacent to the construction site before 07:00 hours on weekdays and 09:00 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.*
- 2. Noise levels arising from construction activities shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give rise to a noise nuisance affecting a person in any premises in the neighbourhood.*
- 3. During the construction / 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.*
- 4. A suitable location for the storage of refuse shall be provided during the construction and operational phase of the development so as to prevent a public health nuisance.*
- 5. The applicant shall put in place a pest control contract for the site for the duration of the construction works.*
- 6. Noise due to the normal operation of the proposed development, expressed as Laeq over 15 minutes at the façade of a noise sensitive location, shall not exceed the daytime background level by more than 10 dB(A).*

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7. *Any connections to the main sewer must be connected so as not to give rise to a public health nuisance.*
8. *Signage or lighting to be used on site during both construction and the on-going operation of the development must not be intrusive to any light sensitive location including residential properties in close proximity to the development.*
9. *Clearly audible or impulsive tones at noise sensitive locations during evening and night shall be avoided irrespective of the noise level.*

These **conditions** are considered reasonable in the event of a grant of permission in the interests of public health.

#### **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 urban area and comprises of the change of use of an existing building to provide geriatric day-care centre.

Having regard to:

- the scale and 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.

#### **Environmental Impact Assessment**

Having regard to the nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real 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.

#### **Conclusion**

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the land use zoning of the site, it is considered that the proposed use as a geriatric day centre materially contravenes the 'OS' zoning objective of the site and therefore should be **refused**. In addition, it is not considered that the applicant has provided sufficient information in relation to the protection of the integrity of the existing convent building, or the traffic and transport impact of the development on the local area.



# **Comhairle Chontae Atha Cliath Theas**

**PR/1293/22**

## **Record of Executive Business and Chief Executive's Order**

### **Recommendation**

I recommend that a decision to Refuse Permission be made under the Planning & Development Act, 2000 (as amended) for the reasons set out in the Schedule hereto:-

### **SCHEDULE**

#### **REASON(S)**

1. Under the South Dublin County Development Plan 2022 - 2028 the zoning objective for the site is 'OS' - 'To preserve and provide for open space and recreational amenities.' There is no provision for geriatric day centre contained within Table 12.15 of the Plan, and similar uses, including Doctor/Dentist, Health Centre, Hospital, Nursing Home, Offices less than 100 sq.m, Offices 100 sq.m – 1,000 sq.m, Primary Health Care Centre, Residential Institution and Retirement Home are all listed as 'Not Permitted'. In this regard, the proposed change of use would materially contravene the zoning objective of the site and the South Dublin County Development Plan 2022 - 2028. Thus the proposed development would be contrary to the proper planning and sustainable development of the area.
2. The applicant has provided insufficient information in relation to the protection and maintenance of the integrity of the protected structure RPS Ref. 158 (Presentation Convent & Church of Immaculate Conception, Clondalkin – Church & Convent). There are concerns regarding the partition of rooms within the protected structure, as well as the potential impact on the building as a result of fire safety upgrades. Further detail would also be required in relation to the proposed staircase towers located within the courtyard. Without this information, it is considered that the full impact of the development on the protected building can not be assessed. The development is therefore considered to be contrary to the proper planning and sustainable development of the area.
3. The applicant has provided insufficient information in relation to the traffic and transport impacts of the development. The applicant has not satisfactorily provided information in relation to parking arrangements to serve the geriatric day centre, or the potential impact of the development on the surrounding road network. The Planning Authority has a concern that these impacts have not been properly considered in making this application and therefore the development would be contrary to the proper planning and sustainable development of the area.

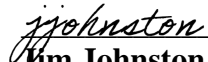
# Comhairle Chontae Atha Cliath Theas

PR/1293/22

## Record of Executive Business and Chief Executive's Order

REG. REF. SD22A/0336

LOCATION: Presentation Convent, Convent Road, Clondalkin, Dublin 22

  
\_\_\_\_\_  
Jim Johnston,  
Senior Executive Planner

**ORDER:** A decision pursuant to Section 34(1) of the Planning & Development Act 2000 (as amended) to Refuse Permission for the above proposal for the reasons set out above is hereby made.

Date: 1310-22

  
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Gormla O'Corrain, Senior Planner