

Comhairle Chontae Atha Cliath Theas

PR/1472/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0335 **Application Date:** 17-Aug-2022
Submission Type: New Application **Registration Date:** 03-Nov-2022

Correspondence Name and Address: Simon Clear & Associates 3, Terenure Road West, Terenure, Dublin 6W

Proposed Development: Modifications to the Primary Healthcare Centre as permitted under Reg. SD11A/0135 (An Bord Pleanala Ref. PL06S.239890) and SD20A/0054 comprising of relocation of existing bus shelter on Boot Road (Bus Stop No. 3465) by c.75m northwards and construction of a new stainless steel and glass bus shelter including a double-sized internally illuminated advertising panel; Construction of an external stair core from the basement car park to surface level with associated changes to car parking layout.

Location: Site at Boot Road / Convent Road, Fonthill Road and St. John's Road, Clondalkin, Dublin 22

Applicant Name: Valley Healthcare Fund

Application Type: Permission

(CM)

Description of Site and Surroundings:

Site Description:

The subject site is 'L' shaped and extends from Fonthill Road to St Johns Road with extensive frontage along Boot Road/Convent Road Clondalkin. The site is located south of Clondalkin Village and north-west of Nass Road N7 National Primary Route. The site is currently an active construction site. An existing bus stop is located on the site's eastern boundary on the northbound (west) side of Boot Road, between its junctions with St Brigid's Ave and St. Anthony's Ave, and there is also a litter bin here.

The surrounding area is predominantly residential in character. The rear gardens of residential properties on St Johns Road adjoin the north west of the site. A four storey apartment development (Kilwarden Court) is located on the opposite side of Fonthill road. St Joseph Boys National School and a church are located on opposite side of Convent Road to east.

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Site Area: 0.7251 Ha.

Proposal:

Modifications to the Primary Healthcare Centre as permitted under Reg. SD11A/0135 (An Bord Pleanála Ref. PL06S.239890) and SD20A/0054 comprising of

- **relocation of existing bus shelter on Boot Road** (Bus Stop No. 3465) by c.75m northwards **and**
- construction of a new stainless steel and glass bus shelter **including a double-sized internally illuminated advertising panel**
- Construction of an **external stair core** from the basement car park to surface level with associated changes to car parking layout.

Zoning

The site is subject to zoning objective 'RES' – 'To protect and/or improve residential amenity.'

Screening for Strategic Environmental Assessment

No overlap with the relevant environmental layers.

Consultations:

Internal

Water Services No objection, subject to conditions.

Public Realm No comments.

Roads No objection.

External

Irish Water No objection, subject to conditions.

Transport Infrastructure Ireland No response received.

Submissions/Observations /Representations

None.

Relevant Planning History

Subject Site

SD11A/0135/EP(1): Demolition of all existing buildings on site and construction of an integrated Healthcare facility with vehicular access from Boot Road/Convent Road to include; a 3 - 5 storey Primary Care Centre building with incorporated pharmacare centre, café, HSE administration, medical treatment rooms, ancillary service areas and staff facilities; a 1 - 3 storey nursing home building to accommodate 80 bedrooms, ancillary amenity and service areas

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and staff facilities; surface and basement level car parking, vehicular entrance and associated carriageway adjustments, signage, substation/switch room, revised boundary treatments, landscaping and all ancillary services and development at Boot Road/Convent Road, Fonthill Road and St. John's Road. Grant Extension of Duration of Permission

SD11A/0135/EP: Demolition of all existing buildings on site and construction of an integrated Healthcare facility with vehicular access from Boot Road/Convent Road to include; a 3 - 5 storey Primary Care Centre building with incorporated pharmacare centre, café, HSE administration, medical treatment rooms, ancillary service areas and staff facilities; a 1 - 3 storey nursing home building to accommodate 80 bedrooms, ancillary amenity and service areas and staff facilities; surface and basement level car parking, vehicular entrance and associated carriageway adjustments, signage, substation/switch room, revised boundary treatments, landscaping and all ancillary services and development at Boot Road/Convent Road, Fonthill Road and St. John's Road. Refuse Extension of Duration of Permission

SD11A/0135: Demolition of all existing buildings on site and construction of an integrated Healthcare facility with vehicular access from Boot Road/Convent Road to include; a 3 - 5 storey Primary Care Centre building with incorporated pharmacare centre, café, HSE administration, medical treatment rooms, ancillary service areas and staff facilities; a 1 - 3 storey nursing home building to accommodate 80 bedrooms, ancillary amenity and service areas and staff facilities; surface and basement level car parking, vehicular entrance and associated carriageway adjustments, signage, substation/switch room, revised boundary treatments, landscaping and all ancillary services and development at Boot Road/Convent Road, Fonthill Road and St. John's Road. Grant Permission

An Bord Pleanála Ref. PL06S.239890

S99A/0847: Permission **granted** by ABP (upholding a decision of SDCC) for the demolition of derelict house and storage building and construction of 16 additional apartments (4 no. 1 bed. and 12 no. 2 bed) in 2/3 storey block as an extension to an already approved residential development of 44 apartments (Reg. Ref. S99A/0153) and extended basement car park with revised access from Commons Road for 41 car-parking spaces all on enlarged site incorporating minor elevational and internal alterations to already approved development at site at St. Brigid's, Convent View, fronting Boot Road/Fonthill Road and Commons Road, Clondalkin, Dublin 22.

Adjacent site to west

SD07A/0271: Permission **refused** to construct residential development of 4 three bedroom, two storey houses and 37 two bedroom apartments in four blocks ranging in height from 3 to 5 storeys, over basement car park.

Reasons for refusal included proposal would be premature pending the determination of the precise route of Metro West, over development of a restricted site and harmful to residential amenities.

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Relevant Enforcement History

None.

Pre-Planning Consultation

None.

Relevant Policy in South Dublin County Development Plan (2022 - 2028)

Policy SM3: Public Transport – Bus
SM3 Objective 18

Chapter 11 Infrastructure and Environmental Services
Policy IE1 Overarching: Development within environmental limits.
Policy IE3: Surface Water and groundwater
IE3 Objective 2: SUDs

Policy IE8 Environmental Quality

Chapter 12 Implementation and Monitoring
Section 12.5.7 Signage – Advertising, Corporate and Public Information

Relevant Government Policy

Ministerial Guidelines and Policy

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

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

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009).

Departmental Circulars, Department of Housing, Planning and Local Government (2020) – as listed:

PL02/2020: Covid-19 Measures
PL03/2020: Planning Time Periods
PL04/2020: Event Licensing
PL05/2020: Planning Time Periods
PL06/2020: Working Hours Planning Conditions
PL07/2020: Public Access to Scanned Documents

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PL08/2020: Vacant Site Levy

Circular NRUP 02/2021 - Residential Densities in Towns and Villages

Assessment

The main issues for assessment are:

- Zoning and Council policy
- Quality Design and Healthy Placemaking
- Sustainable Movement
 - Car Parking
 - Bus Stop
- Drainage
- Screening for Environmental Impact Assessment
- Screening for Appropriate Assessment

Zoning and Council Policy

The site is subject to the 'RES' land-use zoning, which reads, "To protect and/or improve residential amenity."

The proposed development comprises alterations to a permitted scheme. These relate to an external staircase structure (1 storey over basement) in the car park, and removal of a bus stop approx. 75m north of the existing bus stop. The former item is ancillary to the permitted development and is acceptable. The bus stop is a public service and is permitted in principle under the zoning.

Quality Design and Healthy Placemaking

The proposed stair core would originate in the basement car park and rise to the surface-level car park. This is being proposed for fire safety reasons and would ensure 45m access to an exit from within the basement car park. The stair core opens out onto the surface level car park. There is a lack of dedicated pedestrian infrastructure here and the door would be hidden from view from cars driving into the car park; a painted crossing point to the building entrance should indicate to cars that pedestrians may cross at this location. This can be secured by **condition**.

The proposed layout will remove a landscaped area and pedestrian route between the two buildings; in fact, the proposed layout drawing shows two instances of tactile paving for the visually impaired which would indicate a crossing point that does not exist. Little or no regard has been had for the function of the features previously designed; the aim of this approach appears to be the transfer of car parking spaces from the area now taken up by the proposed stair core to avoid loss of car parking provision.

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Permitted Layout (Left) and Proposed Layout (Right)

It is considered (as detailed under 'car parking' below) that the development can withstand the loss of car parking spaces that would be associated with retaining the permitted pedestrian crossings and landscaped area layout at the corner. This can be done by **condition**, but as there is another issue with the proposed development, it should be resolved as part of the request for **additional information**.

Sustainable Movement

Car Parking

The proposed development would increase the number of surface car parking spaces by 1 to make up for a loss at basement level. As per the Roads Departmental reports on SD20A/0054, the maximum parking requirement at the site is 154; 153 spaces were permitted.

The proposed development would result in loss of 1 car parking space at basement level and an increase of 1 at surface level. The Roads Department has noted this as being acceptable due to no increase in car parking provision.

It is considered reasonable that 4 car parking spaces would be omitted to enable the design changes sought above.

Bus Stop

The proposed development would involve moving the existing bus stop 75m north from its position on Boot Road. The Site Layout Plan provides for a new lay-by and a bus shelter with illuminated advertising.

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The existing bus shelter has a litter bin in close proximity. Policy SM3 Objective 18 of County Development Plan seeks the provision of bins alongside bus stop infrastructure. The provision of a street bin at this location can be **conditioned** and the applicant should be directed to coordinate with SDCC Litter management.

The applicant states in their cover letter that the NTA and Dublin Bus have agreed to the re-location of the bus shelter. No evidence of such agreement has been provided. The provision of bus shelters is the responsibility of the NTA. The applicant should provide this agreement in writing by way of **additional information**.

Drainage

Both the Environmental Services Department and Irish Water have stated no objection, subject to standard conditions. Additionally, the Environmental Services Department seeks a demonstration of SUDs measures such as green roofs. The provision of a green roof on the stair core structure can be a **condition of permission**.

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 house extension.

Having regard to:

- the small scale and domestic nature of the development;
- the distance from any European sites;
- the lack of a hydrological connection to any European sites;

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.

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Conclusion

The proposal is acceptable in principle subject to the agreement of the National Transport Authority. The applicant has not provided a copy or evidence of the agreement of the NTA and should be requested to do so prior to grant of permission. Additionally, the removal of pedestrian crossing points and a landscaped area in the surface level car park should be reconsidered and the prior crossing points reintegrated into the design, with minor loss of parking. The applicant should address this by way of additional information.

Recommendation

Request Further Information.

Further Information

Further Information was requested on 11/10/22

Further Information was received on 3/11/22

Consultations

No reports required.

Submissions/Observations

No further submissions/observations received.

Assessment of Further Information

The Further Information requested was as follows:

1. *National Transport Authority.*
The applicant has stated that they have agreed the re-location of the bus shelter with the National Transport Authority. The applicant is requested to provide a copy or written documentation of this agreement.
2. *Car Park Layout.*
Car parking spaces 24, 25, 26, 27, and 28 as labelled on drawing no. 3002, shall be removed from the proposal. The permitted crossing points, raised table, and landscaped pedestrian area located immediately east of where the new stair core is proposed, shall be reintegrated into the design.

Assessment

Item 1 – NTA Agreement

The applicant has provided email confirmation from a Senior Project Manager at the National Transport Authority (NTA) stating 'we confirm that the NTA is in agreement with siting of the repositioned bus shelter as indicated in drawing number P21-051C-RAU-XX-XX-DRA-3002 Revision P02.' This is considered acceptable.

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Item 2 – Car Park Layout

The applicant has amended the site layout plan to remove the required parking spaces. Pedestrian crossing points, with tactile paving, and area of soft landscaping is indicated at this point as requested. This is considered acceptable.

Conclusion

The development subject to conditions, is considered to be consistent with the zoning objective 'RES' – '*To protect and/or improve residential amenity*', and the relevant provisions in the County Development Plan 2022-2028 and is considered acceptable.

Other Considerations

Development Contributions

Under Section 11(xxi) bus shelters are **exempt**. The stair core is not commercial floorspace. Therefore, **no contributions are due**.

SEA Monitoring Information

Building Use Type Proposed:	Ancillary to healthcare facility / bus stop
Floor Area:	13.5 sq.m
Land Type:	Urban Consolidation
Site Area:	0.72513 Hectares.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan 2022-2028 and the overall design and scale of the development proposed it is considered that, subject to conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Recommendation

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

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 -

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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 03/11/2022, 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. Pedestrian Crossing
Prior to the commencement of development the following details shall be submitted to the Planning Authority for written agreement:
 - a) Drawings showing a painted crossing point to the building entrance shall be provided to indicate to cars that pedestrians may cross at this location and such agreed details shall be implemented on site by the applicant within one month of agreement by the Planning Authority.
This is required because the stair core opens out onto the surface level car park and there is a lack of dedicated pedestrian infrastructure here and the door would be hidden from view from cars driving into the car park.
REASON: To ensure pedestrian safety.
3. Street Bin
A street bin shall be provided alongside the bus shelter, with details to be agreed with the Planning Authority.
REASON: In accordance with Policy SM3 Objective 18 of the South Dublin County Development Plan 2022 - 2028
4. Sustainable Urban Drainage Systems
The applicant is required to incorporate SuDS where appropriate within the development. The roof of the stair core shall be implemented as a green roof.
REASON: To ensure the provision of SuDS

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

NOTE: The 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: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

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REG. REF. SD22A/0335

**LOCATION: Site at Boot Road / Convent Road, Fonthill Road and St. John's 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 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: 24/11/22_____



Gormla O'Corrain,
Senior Planner