

# Comhairle Chontae Atha Cliath Theas

**PR/0019/23**

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

**Reg. Reference:** SD22A/0417      **Application Date:** 04-Nov-2022  
**Submission Type:** New Application      **Registration Date:** 04-Nov-2022  
**Correspondence Name and Address:** Sweeney Architects Block A, Gem Park, Athlone Rd, Longford  
**Proposed Development:** Construction of new 41sqm single storey detached insulated steel shed on concrete base to South side of existing Health centre, adjustments to existing concrete footpaths/grassed areas & surface water system to suit & all associated ancillary works.  
**Location:** Rowlagh Health Centre, Neilstown Road, Rowlagh, Clondalkin, Dublin 22, D22 C9C3  
**Applicant Name:** Austin Lyons, Health Service Executive  
**Application Type:** Permission

(BC)

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

Site Area: Stated as 0.4057 Hectares on application form.

#### **Site Description:**

The subject site is accessed via Liscarne Close Road in Rowlagh and is located to the rear of the local Centre development of Chaplains Place. The local Centre contains local retail/commercial units in a 3 storey red brick development. A side street leads to the subject site behind which contains Rowlagh Health Centre. The Health Centre consists of a substantial single storey redbrick building based around a central courtyard.

The areas both to the front of the main building and to the side of the site are in use as parking and access, and the site has been substantially tarmacadamed. A narrow section of lawn/grass surface exists to the rear of the building. A c2.0m high metal fence separates the rear boundary to the neighboring dwellings on Liscarne Court. The dwellings directly to the rear of the site No.54 and 55 are single story semi-detached house.

### **Proposal:**

The proposal consists of *Permission* for the following:

- Construction of new 41sqm single storey detached insulated steel shed on concrete base to South side of existing Health centre,
- Adjustments to existing concrete footpaths/grassed areas & surface water system to suit & all associated ancillary works.

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### **Zoning:**

The subject site is subject to zoning objective 'LC' - *'To protect, improve and provide for the future development of Local Centres'*, in the South Dublin County Development Plan 2022-2028.

### **Consultations:**

Roads Department -	No objections.
Water Services:	No objections subject to <b>conditions</b> .
Irish Water:	No objection subject to <b>conditions</b> .
Parks -	No objections/comments.

SEA Sensitivity Screening - No overlap indicated with relevant environmental layers on SEA mapping tool.

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

Submission expiry date – 8/12/2022

No submissions or observations were received.

### **Relevant Planning History**

#### ***Subject Site:***

No relevant planning history identified on APAS.

#### ***Adjacent Sites:***

**S01A/0122** - Rowlagh Village Centre, fronting Neilstown Road and Colinstown Road, Dublin 22.

To construct 1 no. supermarket (944m<sup>2</sup>) with associated storage and office space (510m<sup>2</sup>), 8 no. shop units (801m<sup>2</sup>), 1 no. restaurant (174m<sup>2</sup>), 20 no. three bedroom residential units, decked carpark (59 spaces) and 18 surface carparking spaces, in 2 no. three storey buildings.

**Grant Permission.**

**SD04A/0114** - Rowlagh Village Centre, Collinstown Road, Clondalkin, Dublin 22

Modifications to previously approved planning permission Reg. Ref. S01A/0122 to include the material change of use of four apartments to medical centre at first and second floor levels and minor alterations to floor plans and elevations.

**Refuse Permission.**

**SD06A/0055** - Junction of Collinstown Road and Liscarne Dale, Rowlagh, Clondalkin, Dublin 22.

3-storey Credit Union building.

**Grant Permission.**

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### **Relevant Enforcement History**

None identified for subject site on APAS.

### **Pre-Planning Consultation**

No pre-planning consultation identified on APAS for subject site.

### **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 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*

*12.7 Sustainable Movement*

*12.7.4 Car Parking Standards*

*Policy COS6: Healthcare Facilities Support the Health Service Executive (HSE) in their aim to provide access to a range of quality health services, in line with Sláintecare and relative to the scale of each settlement and community, and facilitate other statutory and voluntary agencies, and the private sector in the provision of healthcare facilities and services, including the system of hospital care and the provision of community based primary care facilities appropriate to the size and scale of each settlement.*

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### *12.8.3 Healthcare Facilities*

*Large medical centres, including Primary Care Centres (PCC) and group medical practices will be favourably considered in town, district and village and in local centres where appropriate. The Council supports the provision of primary care facilities in accordance with the Department of Health standard of one facility per 7,000-10,000 population.*

*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).*

*Location, siting and design should take account of the following elements:*

- *Location that maximises accessibility to public transport, walking and cycling;*
- *Architectural design that adds visual interest and sense of place;*
- *Inclusion of universal design principles;*
- *Incorporation of climate action measures including siting and design to take advantage of solar gain and the use of renewable energy and technologies (for example, solar and wind power, heat pumps).*

*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.*

*In instances of partial conversion from residential to healthcare, the proposal will be assessed as a Home-Based Economic Activity.*

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### **National Guidelines & Policy relevant to Development Management in SDCC** **Ministerial Guidelines and 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.*

*Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, Department of Housing, Planning and Local Government (2020).*

*Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment and Local Government (2009).*

*Urban Design Manual, Department of the Environment, Heritage and Local Government, (2008).*

*Urban Development and Building Heights Guidelines for Planning Authorities, (2018)*

*Quality Housing for Sustainable Communities-Best Practice Guidelines, Department of the Environment, Heritage and Local Government (2007).*

*Design Manual for Urban Roads and Streets Department of the Environment, Community and Local Government and Department of Transport, Tourism and Sport (2013).*

*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).*

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### **Assessment**

The main issues for assessment relate to:

- Zoning and Council policy,
- Impacts on residential and visual amenity,
- Access and car parking,
- Services and drainage,
- Parks,
- Green Infrastructure
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR)

### ***Zoning and Council Policy***

The proposed site is subject to zoning objective 'LC' - *'To protect, improve and provide for the future development of Local Centres,'* in the South Dublin County Development Plan 2022-2028. A stand-alone, steel portable structure on a concrete base which is proposed to serve as storage 'ancillary' to the primary and existing use of the Rowlagh Health Centre (*Healthcare facility*), is considered *'Permitted in Principle'* in areas zoned 'LC.'

Given that the proposed development would serve the existing Healthcare facility and would not serve additional uses, it is considered that the proposed portable structure represents an ancillary use that would serve the existing primary use. It is also considered that the scale of the ancillary portable structure (circa 41sqm) would equate to a minor intensification of this established use and, given that healthcare uses are listed as permitted in principle, the principle of the proposed development is acceptable subject to **condition** of temporary permission so as not to set a precedent for the creation/construction of portable structures/sheds on Village Centre lands on a permanent basis and to compliance with the relevant policies, standards and requirements of the South Dublin Development Plan 2022-2028.

It should be noted that there is significant policy support for the provision of existing and additional healthcare services within the current County Development Plan.

- *Policy COS6: Healthcare Facilities:*  
*Support the Health Service Executive (HSE) in their aim to provide access to a range of quality health services, in line with Sláintecare and relative to the scale of each settlement and community, and facilitate other statutory and voluntary agencies, and the private sector in the provision of healthcare facilities and services, including the system of hospital care and the provision of community based primary care facilities appropriate to the size and scale of each settlement.*

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In addition, Section 12.8.3 Healthcare Facilities states that the Planning Authority must have regard to the impact on residential amenity, when considering healthcare facilities and ancillary structures to the primary use. The issue of residential impacts will be assessed within the '*Impact on residential and visual amenity*' section below.'

### ***Impact on Residential Amenity***

The proposed development consists of the construction of a 9m x 5m insulated steel shed on a concrete sub base including electrical fit out and gutters/downpipes from a 20 degree pitched single ply roof would be located to the south of the existing healthcare building on a grassed area which separates the building from the boundary to the south. The shed would be accessed by a pedestrian door on the north elevation facing the existing healthcare facility and a larger roller door 2.0m in width which will be accessed by creating a graduated ramp from the existing car parking area. The rear gardens of dwellings to the south (Liscarne Court) border the site at the south end. Number 54 and 55 would be mostly likely to be impacted by the development. Notwithstanding this, the proposed development would be located c1.2m from the rear boundary fence at the narrowest point of the dwellings and c6.0m to the rear building line of the dwellings on Liscarne Court. The existing metal boundary fence to the rear of the subject site is c2.0m in height. The shed is proposed to have an eaves height of 2.9m and ridge height of 4.1m. No windows or doors are proposed on the side elevation which is located facing the rear dwellings on Liscarne Court. Having regard to the sufficient separation distance between the proposed shed and the rear building line of No. 54 and 55 and the absence of potential intrusive ground floor windows located on the side elevation of the shed, the development is not considered to have a significantly overbearing impact or have a negative visual impact on the dwellings located to the south of the proposed development and the wider area.

It should also be noted that the permission for the proposed development should also be limited in duration to 5 years. Such a condition would avoid establishing a precedent for piecemeal backland development in the local centre area and in the rear gardens of the surrounding area.

### ***Access and Car Parking***

It is considered that the structure will be used by existing staff only. Therefore, the proposed development is considered acceptable in terms of roads and parking issues.

The Roads Department have no objections to the proposed development.

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### *Services and Drainage*

Water Services have reviewed the proposed development and have no objections in relation to surface water, subject to the following condition:

1. Attenuate surface water using SuDS (Sustainable Drainage Systems) prior to entering surface water network. Include SuDS such as, planters boxes, rain gardens or other such SuDS

Water Services do not have any objections in relation to flood risk subject to the following conditions:

- *The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.*
- *All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.*

Irish Water have also reviewed the proposed development and have stated no objection subject to the following conditions:

### ***1 Water***

*1.1 Where relevant the applicant shall enter into a water connection agreement with Irish Water.*

*Reason: In the interest of public health and to ensure adequate water facilities.*

### ***2 Foul***

*2.1 There shall be a minimum 3m setback distance from proposed development to existing 225mm foul sewer west of proposed development.*

*2.2 If a connection is proposed with foul network, then the applicant shall enter into a waste water connection agreement with Irish Water.*

*Reason: In the interest of public health and to ensure adequate waste water facilities*

The recommendations of the Surface Water Drainage Department and Irish water is noted. It is considered that these items can be addressed via **condition** in the event of a grant of permission.

### ***Parks***

The public realm department of the council have reviewed the application and have stated no objection to the proposed development.



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### ***Green Infrastructure***

The subject application provides for a storage shed structure of 9m x 5m in size (circa 41sqm) and a modest increase of the building footprint on the subject local centre site. The site boundary appears not to be located within a Primary GI Corridor or Secondary GI Link as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin County Development Plan 2022-2028). A **condition** for surface water shall include for SuDS measures in the form of water butts.

Having regard to the modest increase of the footprint on the subject local centre site, with little intervention on existing greenery and given the size, scale and nature of the proposed development, a full GI assessment for the proposed development is not required. As such, the proposal is in accordance with GI1 Objective 4, GI14 Objective 1, GI12 Objective 4 and Section 12.4.2 of the South Dublin County Development Plan 2022 – 2028.'

### ***Screening for Appropriate Assessment (AA)***

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established village centre area and consists of the construction of a new 41sqm single storey detached insulated steel shed on concrete base to South side of existing Health centre.

Having regard to:

- the small scale 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.

### ***Screening for Environmental Impact Assessment (EIAR)***

Having regard to the modest nature of the 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.

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### **Other Considerations**

#### *Development Contributions*

Use of temporary portable structure as a storage shed (ancillary to healthcare facility). The proposed structure measures 41sqm.

- Development contributions are not applicable.

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Community/Health Care Facility – new storage shed to rear of existing Healthcare facility.	41sq.m
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Greenfield/Brownfield/Urban Consolidation	0.4057

### **Conclusion**

Having regard to the provisions of the South Dublin County Development Plan 2022 – 2028 and the overall design and scale of the proposed development, it is considered that, subject to the **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 - 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.

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### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. Permission is hereby granted for the temporary portable shed shall be for a period of 5 years only from the date of final grant of this permission. The temporary portable building shall be removed from the site on or before this date and shall be disposed of in accordance with the Waste Management Regulations 2007, as amended, and the site fully re-instated.  
REASON: To ensure that the development shall be in accordance with the permission, and that effective control of development be maintained.
2. Development in accordance with submitted plans and details.  
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, 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.
3. Permission  
Permission is hereby granted for the temporary use of a single storey portable building for storage use only.  
REASON: In the interest of clarity, consistency and the proper planning and sustainable development of the area.
4. 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.
5. 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.

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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 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.

### 6. Operational Noise.

(a) Noise due to the normal operation of the proposed development, expressed as LAeq over 15 minutes at the façade of any noise sensitive location, shall not exceed the daytime background level i.e. 0700 – 1900 by more than 10 dB(A) and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 .

Clearly audible and impulsive tones at noise sensitive locations during evening and night as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be avoided irrespective of the noise level.

(b) Noise levels from the proposed development shall not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any residence, adjoining premises or public place in the vicinity.

(c) All mechanical plant and ventilation inlets and outlets should be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as LAeq over 15 minutes at 1 meter from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time (currently 19:00 – 07:00) as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006.

REASON: In the interest of public health by the prevention of unacceptable levels of

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noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

7. Noise Tones During Evening and Night.

Clearly audible and impulsive tones at noise sensitive locations during evening and night time as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 (currently 19:00 – 07:00). shall be avoided irrespective of the noise level.

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, and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

8. 1 Water

1.1 Where relevant the applicant shall enter into a water connection agreement with Irish Water.

REASON: In the interest of public health and to ensure adequate water facilities.

2 Foul

2.1 There shall be a minimum 3m setback distance from proposed development to existing 225mm foul sewer west of proposed development.

2.2 If a connection is proposed with foul network then the applicant shall enter into a waste water connection agreement with Irish Water.

REASON: In the interest of public health and to ensure adequate waste water facilities

9. The applicant shall ensure to:

1. Attenuate surface water using SuDS (Sustainable Drainage Systems) prior to entering surface water network. Include SuDS measures such as: planter boxes, water butts, rain gardens or other such SuDS

2. The Developer shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

3. All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interest of public health and sustainable water management.

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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.

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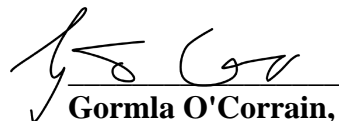
**LOCATION: Rowlagh Health Centre, Neilstown Road, Rowlagh, Clondalkin, Dublin 22,  
D22 C9C3**



**Deirdre Kirwan,  
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:** 09/01/23



**Gormla O'Corrain,  
Senior Planner**