

# Comhairle Chontae Atha Cliath Theas

**PR/0475/23**

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

**Reg. Reference:** SD23A/0047      **Application Date:** 10-Mar-2023  
**Submission Type:** New Application      **Registration Date:** 10-Mar-2023

**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 Ref.  
SD18A/0328 (ABP-304708-19) to community  
geriatric daycare centre (Ageing Well Centre) with  
all associated ancillary accommodation (1267sq.m);  
Internal alterations and improvements to the interior  
of the convent at ground, first and second floors;  
External alterations to accommodate two stair cores  
(one includes a lift) within the courtyard space and  
minor alterations to existing windows and doors to  
facilitate new escape routes; All ancillary site and  
development works associated.

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

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

**Application Type:** Permission

(COS)

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

Site Area: stated as approx. 0.1 Hectares on the application form.

Site Visit: 5<sup>th</sup> of April 2023.

### **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 Reg. Ref. SD18A/0328 (ABP Ref. PL06S.304708), development of which has commenced.

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### **Proposal**

Permission is being sought for the following works:

- 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 Ref. SD18A/0328 (ABP-304708-19) to community geriatric daycare centre (Ageing Well Centre) with all associated ancillary accommodation (1267sq.m);
- Internal alterations and improvements to the interior of the convent at ground, first and second floors;
- External alterations to accommodate two stair cores (one includes a lift) within the courtyard space and minor alterations to existing windows and doors to facilitate new escape routes;
- All ancillary site and development works associated.

### **Zoning**

The subject site is zoned 'OS': *'To preserve and provide for open space and recreational amenities'* under the South Dublin County Development Plan 2022-2028.

### **Consultations**

Water Services	No objection subject to conditions.
Irish Water	No objection subject to conditions.
Roads Department	No objection subject to conditions.
Public Realm	No comments/conditions to add.
Architectural Conservation Officer	No objection subject to conditions.
Forward Planning	No report received at the time of writing this report.

SEA Sensitivity Screening – the subject site overlaps with the following:

- Protected Structure RPS No. 158 Presentation Convent & Church of Immaculate Conception, Clondalkin – Church & Convent.
- Aviation layers.

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

Submissions closed 13<sup>th</sup> of April 2023.

A third party submission was received. This has been reviewed in full and is summarised as follows for the purposes of this report:

- Incomplete documentation online, inconsistencies in drawings
- No letter of support from Tallaght University Hospital
- Concerns with architectural heritage impact assessment
- Refer to their previous observation on previously refused planning application

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- Query why the clinic was not included in the new health centre being built on Boot Road
- Availability of accommodation for staff
- Lack of car parking spaces and impact of car parking on curtilage of protected structure
- Traffic concerns
- Governance

A representation was received from Councillor F. Timmons. This has been reviewed in full and is summarised as follows for the purposes of this report:

- Incomplete documentation online, inconsistencies in drawings
- Concern with impact on protected structure and wider village area

These submissions/representations have been reviewed in full and taken into consideration in the assessment of the proposed development.

### **Relevant Planning History**

#### ***Subject site***

SD22A/0336

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 day care 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. **Permission refused** for the following reasons:

*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*

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*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 cannot 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.*

### ***Nursing Home***

SD18A/0328 & ABP Ref. PL06S.304708

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 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;

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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). **Permission granted by SDCC and ABP on appeal.**

### **Relevant Enforcement History**

Enforcement Ref. S8967: Alleged non-compliance of condition 1 and 11a of ABP-304708-19 SD18A/0328. Closed.

Enforcement Ref. 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**

Pre-Planning Ref. PP083/22

This prospective planning application relates to part of the Convent building and is to facilitate a new user for this building namely a proposed geriatric daycare facility (Ageing Well Centre). The building is currently vacant, and the permitted use is as staff accommodation and facilities associated with the nursing and retirement home uses under SD18A/0328 (ABP-304708-19).

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

*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.*

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*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).*

*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.*

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*Policy NCBH26: Climate Change, Adaptation and Energy Efficiency in Traditional and 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.*

*Policy GII: Overarching*

*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.*

*Policy GI2: 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.*

*Policy GI3: Sustainable Water Management*

*Policy GI4: Sustainable Drainage Systems*

*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.*

*Policy GI5: Climate Resilience*

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*Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods*

*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.*

*Policy QDP3: Neighbourhood Context*

*Policy QDP4: 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.*

*Policy QDP7: High Quality Design – Development General*

*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).*

*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).*

*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.*



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### *QDP11 Objective 3:*

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

### *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.*

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

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

### *Policy COS6: 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.*

### *Policy EDE3: 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.*

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*Policy IE2: Water Supply and Wastewater*  
*Policy IE3: Surface Water and Groundwater*  
*Policy IE7: Waste Management*

*12.3.1 Appropriate Assessment*  
*12.3.3 Environmental Impact Assessment*  
*12.3.7 Protected Structures*  
*12.4.2 Green Infrastructure and Development Management*  
*12.5.1 Universal Design*  
*12.5.2 Design Considerations and Statements*  
*12.7.1 Bicycle Parking / Storage Standards*  
*12.7.2 Traffic and Transport Assessments*  
*12.7.3 Travel Plans*  
*12.7.4 Car Parking Standards*  
*12.7.5 Car Parking / Charging for Electric Vehicles (EVs)*  
*12.8.3 Healthcare Facilities*  
*12.11.1 Water Management*  
*12.11.3 Waste Management*

### **Relevant Government Guidelines**

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

*Regional Spatial & Economic Strategy 2019 - 2031, Eastern & Midlands Regional Assembly, (2019).*

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

*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).*

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### **Assessment**

The main issues for assessment relate to:

- Planning History;
- Zoning and Council Policy;
- Architectural Conservation;
- Visual and Residential Amenity;
- Green Infrastructure and Landscaping;
- Access and Parking;
- Infrastructure and Environmental Services;
- Environmental Impact Assessment; and
- Appropriate Assessment.

### ***Planning History***

Permission has previously been refused onsite, under Reg. Ref. SD22A/0336, for the change of use of part of existing convent building (Protected Structure Ref No. 158) from staff accommodation ancillary to the adjacent nursing home/retirement home permitted under SD18A/0328 to geriatric daycare centre (Ageing Well Centre).

The proposed change of use included internal alterations and improvements to the interior of the convent at ground, first and second floors; and 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 was refused for the following reasons:

*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.*

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*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 cannot 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.*

The subject proposal includes changes from the proposal submitted under Reg. Ref. SD22A/0336. These largely relate to the proposed works to the Protected Structure.

These reasons for refusal are discussed further in the following assessment of the proposed development.

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

The first refusal reason under Reg. Ref. SD22A/0336 related to the principle of the development:

*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.*

The subject site is zoned 'OS': *'To preserve and provide for open space and recreational amenities'* under the South Dublin County Development Plan 2022-2028.

The subject proposed development is for the change of use from from staff accommodation, ancillary to the adjacent nursing home/retirement home permitted under Ref. SD18A/0328 (ABP-304708-19), to community geriatric daycare centre (Ageing Well Centre).

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For the proposed use 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.

The applicant states that the principle of the use could be acceptable within the existing convent building based on policies in the CDP, in particular Policy 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.*

In relation to Policy NCBH19 Objective 4 the site is currently a convent (institutional site) with planning permission for staff accommodation ancillary to the adjacent nursing home/retirement home. These permitted works have not been undertaken to date. Under Reg. Ref. SD18A/0328 (ABP Ref. PL06S.304708) the applicant stated that declining vocations have meant that the (convent) accommodation is in excess of current requirements.

Under previously refused application Reg. Ref. SD22A/0336 the SDCC's Architectural Conservation Officer raised concerns in relation to the impact on the Protected Structure. The proposed works and interventions to the Protected Structure have been amended under the subject application. The ACO has found these changes to be acceptable subject to conditions.

The ACO states in their report *'As with the previous application for the Nursing/Retirement Home it is of utmost importance that the existing Covent Building continues to be used and provide a use within the site which is adjacent and adjoining the Church of the Immaculate Conception. The convent building needs to remain as an integral part of the new complex and associated use with the Church and within the wider community'*. The full ACO analysis is provided in the following section of this report.

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The applicant states that the ageing well centre would be a satellite site for the Tallaght University Hospital. Healthcare services would be provided on an out-patient basis under the governance and staffing of TUH.

The provision of a community geriatric daycare centre (Ageing Well Centre) is considered to be an appropriate use at this location, in proximity to the nursing home/retirement home, community facilities and the village centre of Clondalkin. In relation to the OS zoning, the proposed development involves changes to an existing building and would not result in the loss of any public open space.

Having regard to the above, in particular Policy NCBH19 Objective 4, the proposed use is considered acceptable in principle. It is therefore considered that this refusal reason has been overcome.

### ***Architectural Conservation***

The second reason for refusal under Reg. Ref. SD22A/0336 related to architectural conservation: *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 cannot be assessed. The development is therefore considered to be contrary to the proper planning and sustainable development of the area.*

An Architectural Heritage Impact Assessment has been submitted. The applicant states that the level of intervention is reduced when compared with Reg. Ref. SD22A/0336 following consultation with SDCC's ACO and other relevant consultants (i.e., fire safety).

The ACO state that they find the revised proposal acceptable subject to conditions. Their report is included as follows:

### ***Record of Protected Structures***

*Presentation Convent & Church of Immaculate Conception is referred to in the Council's Record of Protected Structures - Schedule 2 of the South Dublin County Development Plan 2022-2028 under Map Ref. No. 158. Under Section 2 of the Planning and Development Act 2000, the term 'structure' means "any building, structure, excavation, or other thing constructed or made on, in, or under any land, or any part of a structure so defined, (a) where the context so admits, includes the land on, in or under which the structure is situate, and (b) in relation to a*

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*protected structure or proposed protected structure, includes (i) the interior of the structure, (ii) the land lying within the curtilage of the structure, (iii) any other structures lying within that curtilage and their interiors, and (iv) all fixtures and features which form part of the interior or exterior of any structure or structures". Therefore, the entire site is a protected structure, including all existing buildings on site including their exteriors, interiors, fixtures and fittings. The Protection also extends to the lands of the site and as such come under the provisions of the Planning and Development Act 2000 (as amended).*

### *Appraisal*

*Under the previous application (Permission Granted under Reg. Ref. SD18A/0328) for a new 4-storey Nursing Home building located on the lands to the south and west of the existing Presentation Convent and Church of the Immaculate Conception, Protected Structure (RPS Ref. 158) as detailed above. The previous application also included for a retirement home in a two-storey wing to the southeast of the convent and internally connected to the nursing home in order to accommodate the retired nuns who will relocate from the existing Convent building. It was also proposed to carry out internal alterations and improvements to part of the existing Convent Building to allow a new use for nursing home staff accommodation.*

*A further application under Reg. Ref. SD23A/0047 is for change of use of part of existing convent building (RPS Ref.158) from staff accommodation ancillary to the adjacent nursing home/retirement home permitted under previous application SD18A/0328 to geriatric day care centre (Age Well Centre). A previous application (Reg. Ref. SD22A/0336) was refused for a number of reasons and this current application seeks to address the concerns raised.*

*As with the previous application for the Nursing/Retirement Home it is of utmost importance that the existing Convent Building continues to be used and provide a use within the site which is adjacent and adjoining the Church of the Immaculate Conception. The convent building needs to remain as an integral part of the new complex and associated use with the Church and within the wider community.*

*On assessment of the previous planning application under SD22A/0336 a number of items and concerns were raised by the Councils Architectural Conservation Officer and the following was recommended;*

*"It is considered that a Request for Further Information is required in order to provide additional detail to address the concerns raised in the above assessment –*

*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.*

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*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.*

*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.*

- *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.*

*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.*



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*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.*

*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.*

*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”.*

*Planning Permission under SD22A/0336 was refused and on foot of the decision, a meeting was held on site with the undersigned, project architects and conservation architect, fire safety consultant and developers. The areas of concern as highlighted in the assessment report completed by the Council Architectural Conservation Officer were used to form the areas of discussion in finding a suitable solution. Design mitigations were discussed, and details have been set out under Section 4.0 in the Architectural Impact Assessment Report which has been submitted.*

*An Architectural Impact Assessment for proposed change of use and associated works has been completed and submitted as part of the planning application. The Architectural Impact Assessment is set out to describe the proposed works and overall impact and mitigation for same. The overall approach is based on the items highlighted by the Councils Architectural Conservation Officer (as detailed above) and how these are being addressed under the new application.*

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### *Proposed works to the Presentation Convent*

*A number of internal changes and alterations/interventions within the Protected Structure are proposed in order to facilitate the change of use. In some instances, the alterations are similar with those previously granted permission under SD18A/0328. In order to address the concerns in relation to a number of areas further detail was required under the previous planning application in order to fully determine the impacts.*

*As part of the site meeting a pre-planning document was provided by the project conservation architect in showing how the concerns raised by the undersigned and overall impacts had now been considered and changes had been examined in order to lessen the direct impacts on the built fabric. The current proposed development consists of the following;*

- The upgrading of all services and building fabric to include improved insulation; fire management of prevention treatments; disabled access compliance.*
- The introduction of new vertical circulation nodes within the courtyard to manage universal access.*
- Some modest internal alterations to allow for the proposed new use.*

*It is considered that each proposed intervention has now been considered and reviewed as detailed below based on previous concerns raised and related requirements.*

### *Ground floor*

*Subdivision of the convent chapel to provide a 'quiet room', which will be accessed from the adjacent church only and a new proposed Physio/therapy room. This will result in the existing Chapel being divided into two separate rooms with a new full height partition dividing the newly created 'quite room' from the remainder of the room. This will allow the 'quite room' to be accessed only from the main body of the Parish Church. The proposed screen has been altered at lower level by the insertion of a modern glazed screen but retains the original gothic revival character of the upper section with six lancets split by a single mullion forming the stem of a circular trefoil upper light.*

*Windows within this space act as a transitional device between the smaller more domestic openings of the residential element of the building and the larger windows of the church being paired lancets below a trefoil mirrored to the courtyard but with a raised cill. The ceiling also features expressed joists as with the parlours but larger to reflect the wider span and the special nature of this space subtly recognised by the addition of small gold decorative squares added to the bevelled edges of the joists.*

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*The proposed new fire door between the entrance hall section of the corridor and the north section leading to the Chapel and upgrading of existing door for fire rating has been designed to use a non-impactful system of fire protection. The new fire door should take account of the character of the surrounding joiner and while being functional and contemporary in form, should respect the context to minimise any impacts.*

*Another item of concern raised in the assessment of the previous application was the proposal to create two new openings on the wall to facilitate air handling. The two new wall vents would be placed centrally on the west facing courtyard wall between two gothic style windows. The proposal as original presented was directed by the requirement to retain and conserve the character of all existing gothic revival style windows to the inner and outer facing elevations of the Chapel. The windows are fixed stained glass windows which do not provide any means of openings in order that natural ventilation can be provided. Within the context of the proposed it is now confirmed that natural ventilation system is not possible and therefore the original proposal is considered the only way to provide the required natural ventilation into the Chapel.*

*It is stated in the Architectural Impact Assessment that “there are some modest impacts in that some original wall fabric will need to be excised to allow for the air intake and extract locations”. It is considered that a method statement should be provided detailing how the insertion of the ventilation system will be carried out ensuring minimal intervention to the original built fabric.*

*Under the previous planning application, the former reception room off the entrance hallway is proposed to be converted into a reception space. The two main alterations are the opening up of a new opening between the entrance hallway and the adjacent room to create an open reception/counter facing into the reception area and to insert a new partition to divide up the room into two areas not connected. This intervention will involve the insertion of a full height partition and the loss of an original internal door from the entrance hallway.*

*This proposal has been re-designed under the current application when now provides for the new ope to be modest in form and scale and is clearly a modern insertion. The impacts will be less obtrusive and will allow for a functioning reception opening while retaining the character of this space. The revisions allow for the existing door and relationship between G.01 and G.02 to be retained.*

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*Under the previous application the sub-division of one of the principal rooms as proposed resulted in changes to the architectural character of the room with the loss and alteration of the original door and door joinery which will result in negative conservation impact. There are other areas where new opens and change of opens are proposed in order to facilitate improved connectivity within the existing building and in particular to allow connection to the new stair tower, in these areas the interventions can be justified.*

*In considering the proposed alterations for the new reception space, a balance has now been achieved between where alterations or new opens are being proposed. The new proposals for the proposed reception space the design have been altered in order to provide an overall layout that achieves the retention of the original layout and original features/historic joinery. The proposal has been designed to be free standing (a new separating and free-standing screen between G.02 and adjacent G.03 to create a working reception and a more private but connected reception office) and to avoid dividing this space into two areas but rather it inserts a screen which will not affect the original integrity of the room. The new proposal has been well considered and has taken the concerns raised by the undersigned and direction to address the concerns in providing for a more measured and more sensitive approach. This revised design significantly mitigates the previous impacts which were noted in the undersigns report as being unacceptable.*

*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 was considered that the current proposals would 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). This proposal has been redesigned to allow a functioning direct connection between the proposed equipment store (G.04) and the proposed Physio/therapy Room (G.05). It forms a new opening within the existing arch headed recess to the right of the chimneypiece. This will not affect the room integrity and the use of an existing recess will result in a very modest change in character which provides for a more sensitive proposal at this location.*

*The proposals to upgrade the door openings to FR 30 are driven by a strategy to retain the maximum number of retained doors and using a proprietary system as specified by the fire consultant and set out in detail in the separate fire strategy document. The system proposed (Sealmaster FireFace) is designed to be low impact in conservation impacts while providing for the necessary performance and fire safety requirements.*

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*The previous application current application for Change of Use in that Fire Safety requirements need to be fully outlined in order that any fire safety upgrades under Fire Compliance/Building Regs are detailed and that alternative approaches are proposed and reflected in the design approach where/if impacts alter the character of the protected structure and important architectural features. There were a number of areas where the proposed alterations and interventions required to facilitate the change of use and new use of areas/rooms required further details and a clear fire strategy, details have now been provided in submitted Fire Strategy documentation.*

*Under the previous application it was proposed to provide a new waiting room and WC (G-09 & G-11) within the former communal dining room. The room to 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 would impact on the original character and plan form, however the position of the new partition allows the retention of existing features and joinery. It was requested that this room should be examined with regard to its requirements under the change of use.*

*This proposal has now been revised under the current application. The new proposal addresses those concerns by mitigating those issues and presents a simpler plan layout which retains form and character. In particular the presentation of the large tri-partite window in the former kitchen.*

*The requirements under Part M are fully appreciated and the overall design and feasibility within the original GF plan has been achieved providing a balance between the original layout and architectural character of the principal rooms and a sensitive new use.*

### *First Floor and Second Floor*

*It is proposed that the simple cellular nature of the rooms on the first floor (F-01 to F-11) will be retained in cellular form for the new use as consultation rooms. Interventions proposed are modest in nature and include minor adjustments to internal partitions. Original window joinery will be retained. Also at FF level, it is proposed to form a new door to connect into the proposed new stair tower and that the existing exit door to the present escape staircase will be blocked up and the wall and joinery made good. Where new exit routes or new access doorways are proposed along access corridors or in particular where egress to the west side of the building is required and/or to access the new staircase block, these have been achieved in a sensitive way.*

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### *Second Floor*

*The second floor is divided into a larger section on the southern wing and a small section of storage rooms on the western range at SF level. It is proposed that rooms on the second floor will be used for administration offices and staff facilities. The interventions at SF level are minor changes to the layout are proposed. It is proposed that an existing window on the landing adjacent to the proposed new stair tower 02 be replaced by a new doorway. This is adjacent to existing internal staircase 04. This will result in the loss of some original fabric, however in order for the structure to be viable and compliant with Fire/Building regulations, the necessary fire escape is required.*

### *External*

*It is proposed to add 2 no. Staircase towers within the courtyard, one which will contain a lift. These are to facilitate access and escape and to replace the existing metal open fire escape stairs. The design of the proposed new staircase towers will be modern in form and the material finish will reflect the materiality of the Protected Structure. These new additions will allow the clear reading of an additional contemporary structure 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. Details of how the new staircase towers will connect to the original built fabric ensuring minimal intervention at this junction have been provided and details are included in the Architectural Impact Assessment Report.*

### *Recommendation*

*It is considered that the proposed development is acceptable with the following conditions:*

- All works should be carried out in accordance with the details and particulars submitted and in accordance with the details and methodology provided in the Architectural Impact Assessment Report. All works should adhere to best practice in minimising and direct impact on the original built fabric and should adhere to conservation principles in achieving the best overall approach.*
- Safety measures should be put in place during the proposed works on site. A Safety Statement should be provided detailing how the Protected Structure and all original architectural features and fixtures will be protected. A safety statement should be submitted for written agreement with the Councils Architectural Conservation Officer prior to the commencement of development.*

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- *To ensure the protected structure and all associated architectural features/decorative internal fabric are being safeguarded during the proposed development and appropriate safety measures are put in place to prevent and minimise any possible damage.*
- *Once works commence on site the Councils Architectural Conservation Officer should be contacted with regard to inspecting the safety measures put in place to safeguard and protect the protected structures and original fabric and features.*
- *A suitably qualified Architect with Conservation expertise or Conservation Architect should be engaged to supervise the proposed works ensuring that works are carried out in accordance with the current proposals and mitigation measures are carried out in full in achieving a sensitive overall approach and minimal intervention. The Conservation Architect should continue to liaise with the Councils Architectural Conservation Officer throughout the proposed development and the Councils Architectural Conservation Officer should be notified during the key stages of works.*
- *The proposed new fire door between the entrance hall section of the corridor and the north section leading to the Chapel and upgrading of existing door for fire rating has been designed to use a non-impactful system of fire protection. The new fire door should take account of the character of the surrounding joinery and while being functional and contemporary in form, should respect the context to minimise any impacts. All fire safety and upgrading works should be carried out in accordance with the fire strategy provided and all works should take account of the original joinery and minimise any overall impact.*
- *It is proposed to create two new service openings into the inner (courtyard side) 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. The original windows are fixed stained glass windows which do not provide any means of openings in order that natural ventilation can be provided.*
- *It is considered that a method statement should be provided detailing how the insertion of the ventilation system will be carried out ensuring minimal intervention to the original built fabric.*
- *It is proposed to add 2 no. Staircase towers within the courtyard, one which will contain a lift. These are to facilitate access and escape and to replace the existing metal open fire escape stairs. The design of the proposed new staircase towers will be modern in form and the material finish will reflect the materiality of the Protected Structure. These new additions will allow the clear reading of an additional contemporary structure 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.*

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- *A schedule of materials should be submitted for the new staircase towers.*

*The above conditions should be submitted to the Councils Architectural Conservation Officer (Ms. Irenie McLoughlin) for agreement and written approval.*

These **conditions** should be attached to a grant of permission. It is therefore considered that this refusal reason has been overcome.

### ***Visual and Residential Amenity***

The proposal would involve external amendments to the building. The ACO has advised that these are acceptable subject to measures. The changes are considered to be visually acceptable subject to these.

The closest residential properties are located approx. 26 to 28m to the north of the building. The convent building is separated from these properties by the Immaculate Conception Church. Having regard to the scale and nature of the proposed development it is not considered it would have any undue impact on existing residential amenity.

### ***Green Infrastructure and Landscaping***

The subject site is located proximate to a Primary GI Corridor as identified on Figure 4.4: Green Infrastructure Strategy Map in the CDP. 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 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 provide for permeable paving, or other relevant SuDS measures as part of the landscaping plan, to offset the additional hardstanding areas. This can be addressed through **condition**.

The Public Realm Section have reviewed the proposed development and advise that they have no comments/conditions to add.

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

The final reason for refusal under Reg. Ref. SD22A/0336 related to traffic and transport:  
*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*



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*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.*

The ageing well centre would have the main access on eastern elevation of the building. The applicant states that the proposed access would be via the new vehicular and pedestrian entrance from New Road permitted under Reg. Ref. SD18A/0328 (ABP Ref. PL06S.304708). No additional parking spaces are proposed over what was previously approved.

The previously approved parking was in relation to the use of the building as staff accommodation (20 no. bedrooms) ancillary to the adjacent nursing home/retirement home. The applicant states the approved no. of car parking spaces is 39 no. (including 3 no. mobility impaired) and 60 no. bicycle parking spaces.

The applicant assumes a total of 25 no. staff for the proposed development. The proposed development provides for a further 10 no. bicycle parking spaces in the courtyard (total 70 no. for overall site).

The Roads Department have reviewed the proposed development and have no objection subject to conditions:

*Prior to commencement of any works in the public domain, and in order to comply with The Roads Act 1993 Section 13 Paragraph 10, a Road Opening Licence must be secured from South Dublin County Council, Roads Maintenance Department.*

### *Description*

*The addition of a day care facility to an existing planning application for nursing home. There are no alterations to the vehicle access or parking arrangements.*

*A traffic and transport assessment has been submitted as part of the application. The assessment uses the original 2017 traffic surveys and brings them forward by using link based traffic growth forecasting to the year 2023. It then assesses the vehicular traffic generated by the development on five of the closest junctions in the area. the largest impact is on the developments own access junction at 1.8% increase. All the surrounding junctions' increases are below the TII threshold of 10% for additional junction analysis, therefore the applicant has not carried out any further analysis.*

*The traffic assessment contains a car parking assessment for the additional of use. It uses TRICS trip generation from similar locations (although all are based in England) to calculate the hourly car arrivals and departures. This assessment is used to compare the permitted nursing home and proposed day care to show there is no overlap in the peak vehicle use. The nursing home will have peaks at 07:00 – 08:00 and 15:00 – 16:00 the day care will have peaks at 09:00*

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– 10:00 and 11:00 – 12:00. *The applicant contends that the maximum amount of parking required at the development will be 38no. The amount of parking provided in the provision planning permission is 39no. therefore no additional parking is proposed. The addition of 8no. consulting rooms would require an additional 1.5no vehicle spaces per room equating to 12no additional parking spaces according to the development plan. The applicant has stated that the parking at the development will be managed by company. Priority will be given to staff working nights and all other staff will be encouraged to utilise other modes of transport. the applicant has noted the importance of the mobility management plan this should be updated to reflect the additional personal and visitors generated by the new development. The bicycle parking provision has been increased by 10no from 60no to 70no.*

*Should the permission be granted, the following conditions are suggested:*

1. *A Mobility Management Plan is to be completed within six months of opening of the proposed development. The Mobility Management Plan shall be submitted for the written agreement of the Planning Authority. REASON: In the interest of sustainable transport.*

The above is noted and should be **conditioned**. Given the above it is considered that this refusal reason has been overcome.

### ***Infrastructure and Environmental Services***

Water Services have reviewed the proposed development and have no objection subject to standard conditions. These **conditions** should be attached in the event of a grant of permission.

Irish Water have reviewed the proposed development and have no objection subject to a condition that prior to the commencement of development connection agreements for water supply and wastewater are obtained from Irish Water. This **condition** should be attached in the event of a grant of permission.

### ***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 likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

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### ***Screening for Appropriate Assessment***

The applicant has not provided information to assist the screening for Appropriate Assessment. The subject site is not located within nor within close proximity to a European site. The development involves a change of use to a community geriatric daycare centre (Ageing Well Centre) and associated works.

Having regard to:

- the scale and nature of the development,
- the location of the development in a serviced 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.

### **Development Contributions**

Existing convent building 1187sq.m

Proposed ageing well centre 1267sq.m (increase 80sq.m)

Under the Development Contributions Scheme

*(xxiv) Development involving permitted works to Protected Structures, including extension of floor areas or change of use (subject to (xxvi) below), shall be subject to a 30% reduction on the applicable rate of contribution.*

*(xxvi) Change of use: In respect of a permission for change of use, where development contributions were paid in respect of the former use the contribution payable on the new use will be net of the quantum of development previously paid for. Where a contribution was not previously paid or the original development was carried out before 1963 it shall be treated in its entirety as new development and assessed accordingly. The Development Contribution Scheme does not provide for any rebate or refund in this regard. Agents/applicants should provide evidence of prior payment at application stage to expedite assessment and avail of this exemption.*

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<b>Planning Reference Number</b>	SD23A/0047
<b>Summary of permission granted:</b>	Change of use to ageing well centre
<b>Are any exemptions applicable?</b>	Yes
<b>If yes, please specify:</b>	Development involving permitted works to Protected Structures, including extension of floor areas or change of use (subject to (xxvi) below), shall be subject to a 30% reduction on the applicable rate of contribution.
<b>Is development commercial or residential?</b>	Commercial
<b>Standard rate applicable to development:</b>	112.57
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	112.57
<b>Area of Development (m2)</b>	1267
<b>Amount of Floor area, if any, exempt (m2)</b>	0
<b>Total area to which development contribution applies (m2)</b>	1267
<b>Vehicle display areas/ Open storage spaces</b>	
<b>Rate applicable</b>	€11.26
<b>Contribution</b>	€0.00
<b>Total development contribution due</b>	€142,626.19

30% of €142,626.19 = 42,787.857

**Development contribution due €99,838.33**

### **SEA monitoring**

Building Use Type Proposed: Change of use to ageing well centre

Floor Area: 1267sq.m

Land Type: Institutional

Site Area: 0.1 Hectares.

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### **Conclusion**

Having regard to the: provisions of the South Dublin County Development Plan 2022-2028, the established character of the area, and the nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in compliance with Council policy, 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.

### **SECOND SCHEDULE**

#### **Conditions and Reasons**

1. 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.
2. Architectural Conservation  
Prior to the commencement of development, the applicant/developer shall submit for the written agreement of the Planning Authority, following consultation with SDCC's Architectural Conservation Officer where necessary, the following:
  - (a) All works should be carried out in accordance with the details and particulars submitted and in accordance with the details and methodology provided in the Architectural Impact Assessment Report. All works should adhere to best practice in minimising and direct impact on the original built fabric and should adhere to conservation principles in achieving the best overall approach.

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(b) Safety measures should be put in place during the proposed works on site. A Safety Statement should be provided detailing how the Protected Structure and all original architectural features and fixtures will be protected. A safety statement should be submitted for written agreement with the Councils Architectural Conservation Officer prior to the commencement of development.

- To ensure the protected structure and all associated architectural features/decorative internal fabric are being safeguarded during the proposed development and appropriate safety measures are put in place to prevent and minimise any possible damage.

- Once works commence on site the Councils Architectural Conservation Officer should be contacted with regard to inspecting the safety measures put in place to safeguard and protect the protected structures and original fabric and features.

(c) A suitably qualified Architect with Conservation expertise or Conservation Architect should be engaged to supervise the proposed works ensuring that works are carried out in accordance with the current proposals and mitigation measures are carried out in full in achieving a sensitive overall approach and minimal intervention. The Conservation Architect should continue to liaise with the Councils Architectural Conservation Officer throughout the proposed development and the Councils Architectural Conservation Officer should be notified during the key stages of works.

(d) The proposed new fire door between the entrance hall section of the corridor and the north section leading to the Chapel and upgrading of existing door for fire rating has been designed to use a non-impactful system of fire protection. The new fire door should take account of the character of the surrounding joinery and while being functional and contemporary in form, should respect the context to minimise any impacts. All fire safety and upgrading works should be carried out in accordance with the fire strategy provided and all works should take account of the original joinery and minimise any overall impact.

(e) It is proposed to create two new service openings into the inner (courtyard side) 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. The original windows are fixed stained glass windows which do not provide any means of openings in order that natural ventilation can be provided.

- It is considered that a method statement should be provided detailing how the insertion of the ventilation system will be carried out ensuring minimal intervention to the original built fabric.

(f) It is proposed to add 2 no. Staircase towers within the courtyard, one which will contain a lift. These are to facilitate access and escape and to replace the existing metal open fire escape stairs. The design of the proposed new staircase towers will be modern in form and the material finish will reflect the materiality of the Protected Structure. These new additions will allow the clear reading of an additional contemporary structure within the context of the existing Convent Building.

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A glazed interface will provide a clear separation between the original built fabric and the new Staircase towers.

- A schedule of materials should be submitted for the new staircase towers.

REASON: To ensure that the integrity of the Protected Structure is maintained and that the structure is protected from unnecessary damage or loss of fabric.

### 3. Irish Water Connection Agreement.

Prior to the commencement of development the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

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

### 4. Drainage - Irish Water.

(a) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(b) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

### 5. SUDS

Prior to the commencement of development, the applicant/developer shall submit for the written agreement of the Planning Authority, permeable paving, or other relevant SuDS measures as part of the landscaping plan, to offset the additional hardstanding areas in the courtyard.

REASON: In the interests of surface water drainage, green infrastructure and the proper planning and sustainable development of the area.

### 6. Mobility Management Plan

A Mobility Management Plan shall be submitted for the written agreement of the Planning Authority within six months of opening of the proposed development.

REASON: In the interest of sustainable transport.

### 7. Environmental Health

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.

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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).

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.

REASON: In the interests of public health.

### 8. Archaeological Monitoring.

The applicant/developer shall employ a qualified Archaeologist, licensed to carry out Archaeological Monitoring of all sub-surface works carried out within the proposed development site. This will include the archaeological monitoring of the removal of topsoil, the excavation of trenches for foundations, services, access roadway, etc. associated with the proposed development.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

### 9. Archaeological Recording.

Should archaeological material be discovered during the course of Archaeological Monitoring, the applicant shall facilitate the archaeologist in fully recording the material. The applicant shall also be prepared to be advised by the Department with regard to the appropriate course of action, should archaeological material be discovered.

REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

### 10. Archaeological Reporting.

The archaeologist shall prepare and submit a report, describing the result of the Archaeological Monitoring, to the Local Authority and the Development Application Unit of the Department of Environment, Heritage and Local Government within six weeks following completion of Archaeological Monitoring.



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REASON: To facilitate the recording and protection of any items of archaeological significance that the site may possess.

### **11. Financial Contribution.**

The developer shall pay to the Planning Authority a financial contribution of €99, 838.33 (Ninety-nine thousand eight hundred thirty-eight euros and thirty-three cents), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing [customerservice@water.ie](mailto:customerservice@water.ie).

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

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.

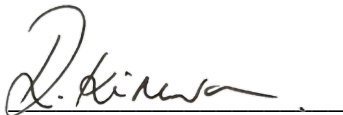
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**REG. REF. SD23A/0047**

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



**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:** 04/05/23



**Gormla O'Corrain,  
Senior Planner**