

Comhairle Chontae Atha Cliath Theas

Chief Executive's Report for Council Meeting 10th February 2024 SD24A/0187W

Reg. Reference: SD24A/0187W **Application Date:** 24-Jul-2024
Submission Type: Additional **Registration Date:** 22-Nov-2024
Information

Correspondence Name and Address: Simon Clear, Clear Consult 17a, Bridgecourt Office Park, Walkinstown Avenue, Dublin 12, D12 VH61

Proposed Development: The construction of a 4-storey Primary Care Centre building which will provide HSE Services such as general primary care, mental health, disability and older person services; The building will accommodate GP rooms, day care centre with associated kitchen facilities and external deck amenity space, pharmacy, treatment/consultation rooms, primary care administrative offices, as well as ancillary accommodation including staff facilities, offices, meeting rooms, reception/waiting areas, ESB substation and plant; The development will be accessed via the existing avenue to the Citywest Campus entered from Garters Lane at the existing traffic light controlled junction, with a new internal road layout from the existing roundabout on the access avenue to provide 2 no. vehicular entrances to car parking within the subject site; The car parking will be divided into a dedicated staff car park and a visitor car park with both to be controlled by barrier access and a total of 158 no. car parking spaces provided; The proposal also includes bicycle parking, service yard, pumping station, SuDS drainage, PV panels at roof level, signage, landscaping, boundary treatment and all associated site works and services.

Location: Lands at Citywest Campus, Garters Lane, Saggart, Co. Dublin.

Applicant Name: MLPCC Development Company Limited

Application Type: Permission

(SW)

Description of Site and Surroundings:

Site Area: Stated as 1.66 Hectares.

Site Description:

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The site is located adjacent to Saggart Village. At present, it consists of former coach parking for the nearby Hotel / Convention Centre and Open Space /a former golf course. The access to the site is via the main avenue to the Citywest Hotel and Convention Centre campus, via Garters Lane. The avenue is tree lined, and this tree line forms the north eastern boundary of the application site. There is also significant vegetation coverage on the former golf course and the boundary is generally tree lined. The Hotel and Convention Centre are located to the north / north east. Residential development abuts the site on the south east. Open space lies to the west and south west, and there are a number of ponds to the west. The main village of Saggart is situated to the south west. The Saggart Luas stop is situated within 500m of the site and there are a number of bus services running along Garters Lane.

Proposal:

The proposed development consists of **Permission** for the following:

- A 4-storey Primary Care Centre building which will provide HSE Services such as general primary care, mental health, disability, and older person services.
- The building will accommodate GP rooms, day care centre with associated kitchen facilities and external deck amenity space, pharmacy, treatment/consultation rooms, primary care administrative offices, as well as ancillary accommodation including staff facilities, offices, meeting rooms, reception/waiting areas, ESB substation and plant.
- The development will be accessed via the existing avenue to the Citywest Campus entered from Garters Lane at the existing traffic light-controlled junction, with a new internal road layout from the existing roundabout on the access avenue to provide 2 no. vehicular entrances to car parking within the subject site.
- The car parking will be divided into a dedicated staff car park and a visitor car park with both to be controlled by barrier access and a total of 158 no. car parking spaces provided.
- The proposal also includes bicycle parking, service yard, pumping station, SuDS drainage, PV panels at roof level, signage, landscaping, boundary treatment and all associated site works and services.

Zoning:

The site is zoned *OS: 'To preserve and provide for open space and recreational amenities'*.

CDP Maps:

- GI – strategic corridor 5 – Camac River Corridor
- RPS within 100m – 302, Stone House
- Bird Hazards - Casement
- Inner Horizontal Surface - Casement
- Baldonnel Solar Safeguarding Zone
- SMR Notification on site - R149385
- Transport proposals within 100m - Cycleways-Rathcoole to Saggart

Consultations :

Internal

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Surface Water – **additional information requested.**

Roads – **additional information requested.**

Parks – no objections, subject to conditions.

Heritage Officer – **additional information requested.**

Forward Planning – no report received at time of writing, attendance at pre-planning meetings noted.

Economic Development – no report received at time of writing.

Architectural Conservation Officer – **additional information requested.**

Architects Department – no report received at time of writing.

External

Public Lighting - no objections, subject to conditions.

Irish Water – no objections, subject to conditions.

Housing, Social & Community Development – no report received at time of writing.

Environmental Health Officer – no objections, subject to conditions.

Transport Infrastructure Ireland – observations made.

National Transport Agency – no report received at time of writing.

Department of Defence – no objections, subject to conditions.

Department of Housing, Local Government & Heritage – no objections, subject to conditions.

Submissions/Observations /Representations:

A number of submissions were received. These are summarised as follows:

- Fully supports government and SDCC policy. The viability of existing small rural towns should be supported. Rathcoole is an existing small centre.
- The proposal will relocate 4 Districts Day care centre from Rathcoole.
- No documentation to support the scale of the proposal or what population it will serve.
- No analysis of impact on businesses or the community.
- No alternative use listed for existing Health Care Centre and Day Care Centre.
- Danger of centralisation of services away from core.
- Vacant units in Rathcoole and Saggart Centres – these could be used in a more distributed approach.
- Traffic problems at peak hours.
- Traffic baseline data is incorrect.
- Lack of public transport in Rathcoole – Bus Connects do not propose to increase frequency.
- Most people use cars and country roads dangerous for cycling.
- The old golf courses are the only large OS zoned spaces in the area.
- Approval would give rise to a material contravention of the Development Plan.
- Cape Wrath have prepared a masterplan – possibility of legal challenge on precedence being pursued through the courts if this granted permission and the remainder not rezoned and refused.
- 4 Districts Day Care Centre are at capacity and support the opportunity to expand the service, including in the City West area.

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- There is a Day Care Centre for elderly in Rathcoole that is in the process of updating its minibus.
- Discussions have taken place with the Director for Housing of South Dublin Community Council re: the availability and suitability of the current site including the listed building, and a local group has been established to assist in this process.
- Value the concept of a primary care centre in the catchment area.
- The plan for a day centre for older persons / persons with disabilities moves the 4 Districts Centres in Rathcoole, which would result in an accessible and larger building than the current.
- In addition to the positives, following should be considered:
 - The proposal lies within the context of all the residential developments planned and proposed in Saggart, Citywest and beyond.
 - Proposal would require rezoning of land. Changes to zoning a concern as it results in precedence, without having consideration for the long term structural, residential, social and transport needs of the area.
- SVRA met with Feasible in 2022 – at that meeting it was communicated that the existing GP in Citywest would be moving to a primary care centre in Saggart. Question the rationale of moving a full clinic and all associated patients.
- There is a masterplan by the owners of the land, and this would require further rezoning.
- LAP for Saggart needed as a matter of priority – would welcome exploration of a Primary Care Centre as part of the LAP process.
- Traffic is an issue. Brittas has no public transport connections to the site, nor do more rural areas.
- Impact of traffic at the crossroads at peak times has not been considered.
- Turning lanes should be considered at Garter Lane / Citywest.
- Safe cycle routes should be considered.
- Footpaths require upgrading.
- Should be considered as to whether consideration of the proposal should be paused until the Traffic Management Assessment has been completed.
- Existing services will be moved.
- Tree removal will be excessive.
- Inadequate ecological surveys.
- Site is not the most suitable site.

Relevant Planning History:

Subject site

SD17A/0215: Provision of signage consisting of 2 signage areas of c.2.4sqm each.

Decision: Grant permission, subject to conditions (SDCC).

SD15A/0381: Permission is sought for the increase in capacity of the conference centre to allow for up to 6,000 patrons (the conference centre is currently limited to 4,161 patrons under Reg. Ref. SD07A/0294, An Bord Pleanála reference PL06S.227236) and for the provision of public concerts; modifications to the permitted layout of the overflow car park (Reg. Ref. SD10A/0150,

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An Bord Pleanála reference PL06S.238971) to accommodate an additional 171 car parking spaces and taxi set-down area; improvement works to the junction at Garters Lane and Fortunestown Lane; all associated site development, landscaping and boundary treatment works above and below ground.

Decision: Grant permission, subject to conditions (SDCC), Refuse Permission (ABP).

SD15A/0270: The demolition of the pedestrian/buggy bridge across Garters Lane and any associated site development, landscaping and boundary treatment works above and below ground all on a site of c.0.03ha adjoining the entrance of Citywest Hotel and Conference Centre.

Decision: Grant permission, subject to conditions (SDCC).

SD10A/0150: Retention of hardcore fill and permission for the development of the hardcored area as an overflow carpark consisting of 347 car parking spaces, 9 bus parking spaces, 2 bus setdown/pick up spaces, vehicular access/egress from private avenue leading to Citywest Hotel, footpaths, landscaping, drainage and all associated services on lands to the west of the access avenue.

Decision: Grant permission and Grant Retention (SDCC), Grant Permission (ABP).

SD06A/0962: Extension to existing hotel comprising 99 hotel suites and relocation of carparking spaces and associated site works.

Decision: Grant permission, subject to conditions (SDCC).

SD06A/0615: Two no. conservatories on the first floor level of the front elevation.

Decision: Grant permission, subject to conditions (SDCC).

SD05A/0888: Construction of a two storey extension onto side of Citywest Hotel, comprising of the extension of existing pro-shop (ground floor) and existing restaurant (first floor); the development adjoins the site of the recorded monument with Protected Structure status (I.I. Saggart Zone of Archaeological Influence) & also adjoins the curtilage of Tassagart House & Tower House, Listed buildings with Protected Structure status.

Decision: Grant permission, subject to conditions (SDCC).

SD03A/0400: A new bottle store. The building is being construction on the site of a recorded monument with protected structure status.

Decision: Grant permission, subject to conditions (SDCC).

SD02A/0722: Extension to existing hotel comprising of 167 new bedrooms in 2 no. blocks, Block A 88 bedroom, Block B 79 bedrooms and a conservatory extension to front bar area, also for the retention of various extensions to existing hotel, comprising of conservatory extension to reception area, conservatory extension to lounge area, extension to carvery area, retention of canopy covered walkway from front of hotel to conference room, escape stairs and lift at conference room, extension of conference room kitchen, security office and canteen area, extension to stage in conference room and retention of changing area on first floor, retention of extension to four bedrooms on second floor, retention of extension of four bedrooms on third

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floor, retention of extension to two bedrooms on fourth floor all over stage area, retention of switch room and bar store, retention of extension to kitchen on first floor, retention of six bedrooms on second floor over conference room, retention of ten bedrooms on third floor over conference room and retention of ten bedrooms on fourth floor over conference room and the retention of a green keepers shed and a helicopter store and landing area all with 383 additional car parking spaces, 280 to the north of the new apart hotel block under construction, 103 to the rear of existing hotel, all so for a link tunnel between apart hotel under construction to existing car parking area and associated site works on lands which are the site of a recorded monument with protected structure status.

Decision: Grant permission, subject to conditions (SDCC), Attach conditions (ABP).

S01A/0464: Erection of a bridge suitable for carrying golf buggies across Garters Lane, linking their 2 golf courses.

Decision: Grant permission, subject to conditions (SDCC).

S01A/0450: Construction of Apart Hotel, consisting mainly of a three- storey building with fourth floor in roof space, with one section facing into a lower courtyard of four stories with fifth floor in roof space. The proposal consists of 1 no. 1 bed studio, 24 no. 1 bed apartments, 95 no. 2 bed apartments, along with reception area, kitchen, dining room, cocktail bar, staff facilities and car parking for 59 cars on surface with 175 underground car spaces along with all necessary ancillary site development works on their land adjacent to their existing City West Hotel, Leisure and Golf Club, the land on which it is proposed to locate this development contains a protected structure within its curtilage.

Decision: Grant permission, subject to conditions (SDCC).

S01A/0269: Alter/divert the Kilteel-Maynooth-Newbridge/Citywest-Saggart 110kV line at Saggart, Co. Dublin. The diversion will be undertaken to facilitate the construction of an apartment development at the junction of Garter's Lane and Fortunestown Lane, Saggart. The diversion will be located over or in the vicinity of Saggart & Fortunestown Townlands, commencing on the existing line some 250m north of the centre of Saggart Village. The diversion will run north- east for a distance of some 500m, passing close to the junction of Garter's Lane and Fortunestown Lane. The diversion will rejoin the existing alignment of the transmission line north of Fortunestown Lane. The proposed 110kV diversion will consist of four new lattice steel towers of maximum height 28m and maximum base area of 100 square metres. The average distance between structures will be 170m. Three existing lattice steel towers will be removed.

Decision: Grant permission, subject to conditions (SDCC).

Relevant Enforcement History:

None recorded.

Pre-Planning Consultation:

PP047/24: Construction of a 4 storey Primary Care Centre building, which will provide HSE Services such as GP rooms, day care centre, pharmacy, treatment/consultation rooms, primary

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care administrative offices, as well as ancillary accommodation including staff facilities, offices, meeting rooms, reception/waiting areas, and plant rooms.

The development will be accessed via the existing main entrance to the Citywest Campus from Garters Lane and will include car and bicycle parking, service yard, pumping station, landscaping, boundary treatment and all associated site works and services.

PP034/24: Construction of a 4 storey Primary Care Centre building, which will provide HSE Services such as GP rooms, day care centre, pharmacy, treatment/consultation rooms, primary care administrative offices, as well as ancillary accommodation including staff facilities, offices, meeting rooms, reception/waiting areas, and plant rooms. The development will be accessed via the existing main entrance to the Citywest Campus from Garters Lane and will include car and bicycle parking, service yard, pumping station, landscaping, boundary treatment and all associated site works and services.

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

Policy CS6: Settlement Strategy - Strategic Planning Principles

Promote the consolidation and sustainable intensification of development within the urban settlements identified in the settlement hierarchy.

CS6 Objective 5:

To design future development in a manner that facilitates sustainable travel patterns, with a particular focus on increasing the share of active modes (walking and cycling) and public transport use and creating a safe attractive, universally-accessible street environment for pedestrians and cyclists, where adequate transport links are in place, or will be situated, close to new developments and to existing developments which need them.

Policy CS8: Saggart

Support the sustainable long-term growth of Saggart by focusing growth within and contiguous to the village core to create a critical mass of population and jobs based on local demand and the ability of local services to cater for sustainable growth levels.

CS8 Objective 3:

To proactively support and promote the highest levels of services, social infrastructure, facilities, retail and economic activity to meet the needs of current and future growth in line with the scale and function of Saggart within the settlement hierarchy.

Policy NCBH1: Overarching

NCBH1 Objective 1

Policy NCBH2: Biodiversity

Policy NCBH3: Natura 2000 Sites

Policy NCBH5: Protection of Habitats and Species Outside of Designated Areas

Policy NCBH11: Tree Preservation Orders and Other Tree / Hedgerow Protections

Policy NCB12: Geological Sites

Policy NCBH13: Archaeological Heritage

Policy NCBH14: Landscapes

Policy NCBH19: Protected Structures

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Policy NCBH20: Architectural Conservation Areas

Policy GI1: Overarching

Policy GI2: Biodiversity

Policy GI3: Sustainable Water Management

Policy GI4: Sustainable Drainage Systems

Policy GI5: Climate Resilience

GI5 Objective 8:

To complete a flood risk assessment for Saggart with a view to restoring and protecting existing biodiversity, ecosystems and drain systems.

Policy GI6: Human Health and Wellbeing

Policy GI7: Landscape, Natural, Cultural and Built Heritage

Strategic Corridor 5: Camac River Corridor

Policy QDP1: Successful and Sustainable Neighbourhoods

5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach'

Policy QDP2: Overarching - Successful and Sustainable Neighbourhoods

Policy QDP3: Neighbourhood Context

Policy QDP4: Healthy Placemaking

Policy QDP5: Connected Neighbourhoods

Policy QDP6: Public Realm

Policy QDP7: High Quality Design – Development General

Policy QDP7: High Quality Design – Adaptability and Inclusivity

Policy QDP11: Materials, Colours and Textures

Policy SM1: Overarching – Transport and Movement

Policy SM2: Walking and Cycling

7.7.2 New Street and Road Proposals

Policy SM5: Street and Road Design

Policy SM6: Traffic and Transport Management

SM6 SLO 1:

To carry out a traffic and transport study for Rathcoole, Saggart and Newcastle and the surrounding areas following the publication of the GDA Strategy review to 2042 which will clarify the context within which the road network in the area will function and to include a review of HGV movement.

Policy SM7: Car Parking and EV Charging

Policy COS1: Social Inclusion and Community Development

Policy COS2: Social / Community Infrastructure

8.8 Healthcare Facilities

Policy COS6: Healthcare Facilities

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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.

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.

COS6 Objective 4:

To support the provision of primary care facilities with relevant agencies, in accordance with the standard of one facility per 7,000-10,000 population as identified by the Department of Health.

Policy E1: Responding to European, National and Regional Policy and Legislation

Policy E3: Energy Performance in Existing and New Buildings

Policy E4: Electric Vehicles

Policy E7: Solar Energy

Policy IE1: Overarching Policy

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

11.3.1 Riparian Corridors

Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.3.5 Landscape Character Assessment

Table 12.17: Landscape Character Types

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

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12.7.4 Car Parking Standards

12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

12.7.6 Car Parking Design and Layout

12.8.3 Healthcare Facilities

12.10.1 Energy Performance in New Buildings

12.11.1 Water Management

12.11.3 Waste Management

12.11.4 Environmental Hazard Management

Relevant Government Guidelines:

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

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2008).

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)

Smarter Travel – A Sustainable Transport Future. A New Transport Policy for Ireland 2009 – 2020, Department of Transport, (2009)

National Cycle Manual, National Transport Authority, (June 2011)

Department of Health Sláintecare Implementation Strategy & Action Plan 2021—2023

Assessment:

The main issues for assessment relate to:

- Zoning
 - (i) Policy on Primary Care
 - (ii) Scale of Provision and Impact on Existing Facilities
 - (iii) Site Selection
- Urban Design, Architectural Form and Visual Impact
- Impact on Protected Structure

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- Residential Amenity
- Access, Parking & Permeability
- Landscaping & Public Open Space
- Heritage
- Services & Drainage
- Noise and Environmental Health
- Services & Drainage
- Energy
- Archaeological Heritage
- Aviation
- Implementation
- Screening for Appropriate Assessment
- Screening for Environmental Impact Assessment

Zoning

The site is zoned OS under the County Development Plan 2022-2028: *'To preserve and provide for open space and recreational amenities'*. Primary Health Care Centre' is Not Permitted within the 'OS' zoning. The applicant is also proposing administrative offices, predominantly on the third floor. These total 1,355.9sq.m. Offices over 1,000 sq.m. are also Not Permitted within the 'OS' zoning.

Whilst the offices, pharmacy and other facilities are considered ancillary to the main Primary Health Care Centre ('PHCC') use, as noted above, the main Primary Health Care Centre use is a 'Not Permitted' use under the OS zoning. Section 12.2.1 (iii) of the South Dublin County Development Plan clearly states that *'Land uses that are listed as 'not permitted' under each of the zoning objectives are considered not to be acceptable. Each use listed under this category would not, therefore, be favourably considered by the Planning Authority.'*

Planning application decisions are generally plan-led. The permitting of a new use to a land parcel, which is explicitly not permitted under the land use objectives of its statutory Development Plan amounts to a material contravention of the Plan. The Planning and Development Act 2000 (as amended) gives the Planning Authority powers to support an application that materially contravenes the development plan in exceptional circumstances. For example, where the Planning Authority deems a project to be of such a scale/strategic importance warranting a decision that contravenes the plan. There is no statutory definition as to what constitutes 'exceptional circumstances.' Exceptional circumstances are something that can only be considered on a case-by-case basis and something that can only be achieved through detailed evidence provided by the applicant relevant to the circumstances of that particular proposal.

The determination of planning applications is generally an executive function. However, where the executive recommends that a material contravention of a County Development Plan be granted permission, the matter goes before the Council for determination as a reserved function.

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With the above in mind and having regard to zoning of the application site and the 'not permitted' nature of proposed PHCC use, the remainder of this report considers whether there are exceptional circumstances as to why a material contravention of the South Dublin County Development Plan 2022 - 2028 should be supported or whether the proposal should be refused.

(i) Policy on Primary Care Centres

Policy COS6: Healthcare Facilities supports the HSE in their aim to provide access to a range of health services. Objective 3 of this policy supports the provision of appropriately scaled healthcare facilities within existing settlements, in locations that are accessible by public transport and safe walking and cycling infrastructure. Objective 4 sets out a requirement of one facility per 7,000-10,000 population.

In accordance with Section 12.8.3, the following should be provided with any application:

- (a) *Details of proposed medical or related professional activities (for example, GP, dentist, physiotherapist);*
- (a) *Any associated commercial activity (for example, pharmacy);*
- (b) *Proposed number of practitioners and support staff;*
- (c) *Intended hours of operation;*
- (d) *Confirmation of support from HSE (in the case of Primary Care Centres);*
- (e) *Mobility management plan (in the case of large Primary Care Centres).*

In relation to point (a) the applicant states the following will be provided - *a GP Practice, Child & Adolescent Mental Health Services, a Community Mental Health Team, an Older Persons Day Care Centre, and a Network Disability Team.*

For point (b), the applicant has indicated that the only commercial activity identified is a pharmacy at ground floor. Since GP Practices are generally commercial operations, the applicant is requested to confirm that the GP Practice is not commercial in nature and will be an HSE-operated practice. Similarly, if other healthcare practitioners will be operating businesses from the proposed building, this should be made clear. For points (c) and (d), the applicant states that there will be 150 staff and the PHCC will operate between 9am and 5pm, Monday to Friday. In relation to point (e), A letter of explanation from the HSE, which describes the PHCC catchment, services, site selection and the delivery of Slainte Care, is enclosed with the application. A Mobility Management Plan has been submitted for point (f)

In accordance with Section 12.8.3, location, siting and design should take account of the following elements:

(a) *Location that maximises accessibility to public transport, walking and cycling*

Response: The proposed PHCC is ideally located with the Saggart Luas stop being a 500m walk from the site and bus routes on Garter Lane at the site entrance. Please refer to the Site Selection Analysis and Justification Report and MMP enclosed with the application for further details.

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(a) Architectural design that adds visual interest and sense of place.

Response: The proposed building has been designed by Paul Byrne Architects to fit the requirements of the HSE and also to provide a building that integrates with the existing site context. Different materials and finishes are proposed, particularly on the front façade, to break up the articulation. Please refer to the enclosed Design Statement prepared by Paul Byrne Architects for further details.

(b) Inclusion of universal design principles

Response: The design of the building has been informed by the Universal Design principles established in the "Building for Everyone – A Universal Design Approach" by the Centre for Excellence in Universal Design. Please refer to the enclosed Design Statement prepared by Paul Byrne Architects for further details.

(c) 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).

Response: The building has been sited to maximise solar gain whilst also balancing the requirement to avoid overheating. The building is designed to deliver a European Union Taxonomy compliant building.

Further details are included in the enclosed Design Statement and Energy and Sustainability Report.

It is noted that the CDP generally supports the provision of PHCCs, and the applicant has submitted the information required in accordance with Section 12.8.3.

(i) Scale of Provision and Impact on Existing Facilities

The proposed facility would be 7,760.9sq.m. In relation to scale, the applicant states that the requirements of the Government programme for primary care in the community before hospital (secondary care) requires substantial multi-purpose centres, generally 7,000sq.m or larger.

In relation to existing facilities, the letter from the HSE states "*There is a large growth in demand now & predicted into the future for community healthcare services, there are no plans at present to close any other service in the existing CHN areas. The existing Newcastle, Citywest & Saggart Health Centres & their provision of services will remain, with the Citywest Primary Care Centre an addition to the CHN under Sláintecare*".

It is noted that a number of the submissions that have been made indicate that there is an intention to move existing services, including the 4 Districts Day Care Centre and GP services. The applicant is requested to clarify whether any services will be relocated as a result of this proposal or whether all services are additional. **Additional Information** is requested.

(ii) Site Selection

Having regard to the zoning objectives of the application site and the 'not permitted' nature of the proposed PHCC use thereon, one of the key considerations of the Planning Authority in

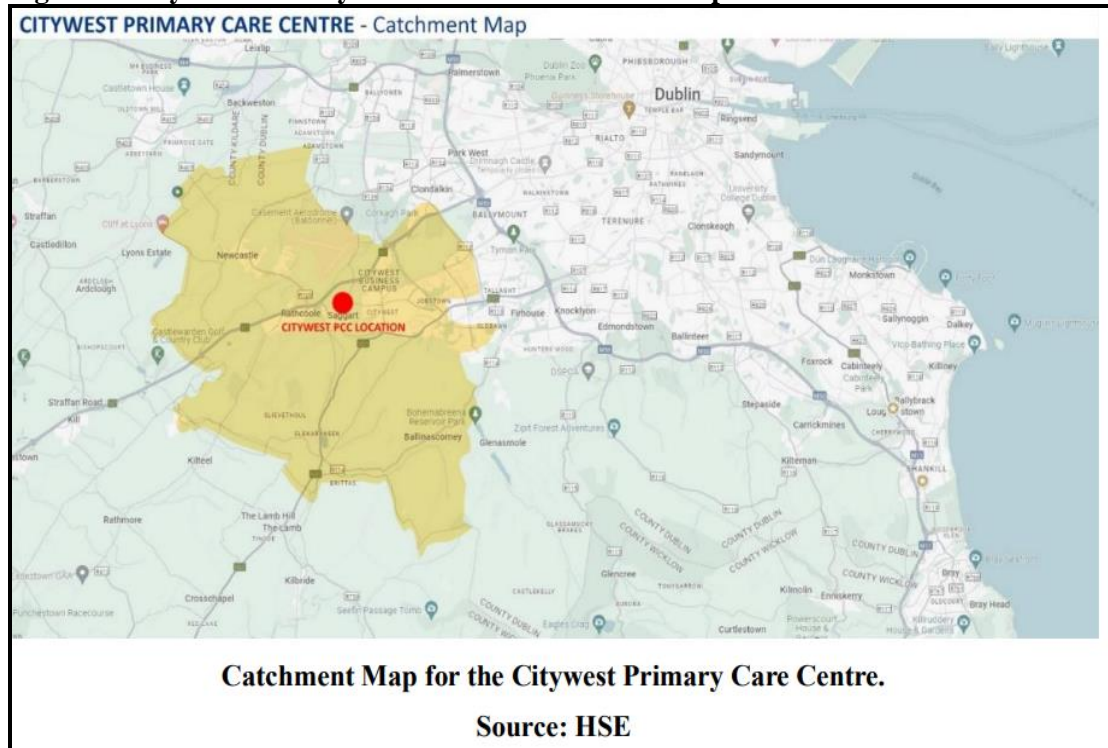
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assessing this application is whether there are any alternative sites within the catchment area (see **Figure 1**) that could support the current proposal whilst continuing to meet all of the objectives of the Development Plan.

With the above in mind, the applicant has submitted a 'Site Selection Analysis and Justification Report' which seeks to demonstrate that the application site is in fact the best suited to support both the existing and future populations of the catchment based on the 6 site selection criteria set out in **Table 1** below:

Figure 1: Citywest Primary Care Centre Catchment Map



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Table 1: Site Selection Criteria

Criteria Number	Description	Detailed Description
1	Located within Citywest existing Community Healthcare Network (CHN) Area	To serve the four districts of Citywest, Saggart, Newcastle and Rathcoole and surrounding areas-all within the Citywest PHCC Catchment Map. HSE Primary Care Services in this area are served by an existing Community Healthcare Network (CHN) Population 37,917 (CSO 2022). See CHN Catchment. (Figure 1) Map attached
2	Urgent Requirement - Availability and Deliverability	Site/building available and capable of delivering Citywest PHCC asap. HSE ranks Citywest PHCC as being the 8th most urgently needed PHCC nationwide
3	Specifically Located between largest Centres of Population	The largest, and fastest growing centres of Population are Rathcoole, Citywest and Saggart - see the CHN Newcastle Citywest Saggart Population Density Map attached (Based on the latest 2022 CSO Statistics). The PHCC should therefore, be centrally located south of the N7 - see HSE Population Density map attached
4	Accommodation Requirements	Either existing building or site capable (through extension) of accommodating approx. 7,000m ² plus 150 car spaces, bicycles etc
5	Public Transport	The chosen site must be accessible to the maximum extent by high capacity, frequent service public transport – preferably by both bus routes and Luas
6	Connectivity	Citywest PHCC will serve a broad geographical area - the chosen site must be easily accessed from the four distinct districts by a range of travel modes, including active travel.

The applicant has assessed 18 sites in the context of the 6 criteria above. Page 9 of the report states, “*the essential requirements for the PHCC are: -*

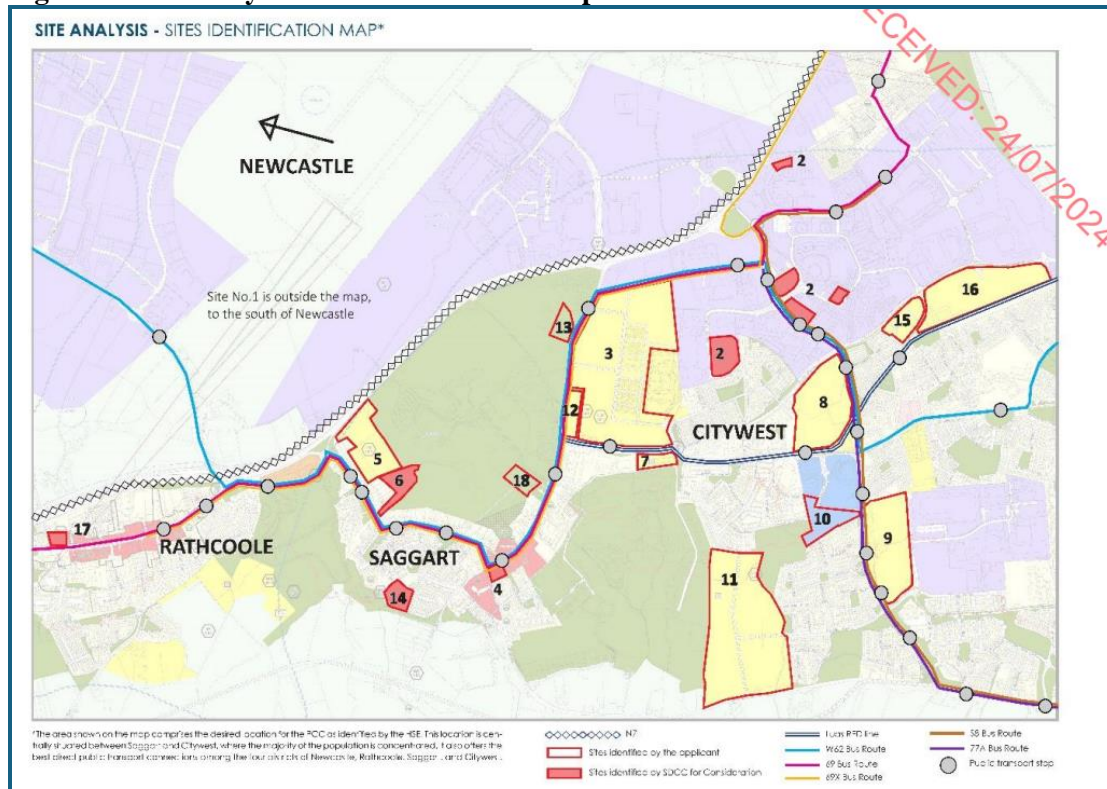
- *Well-located within the catchment to be served;*
- *Accessible by public transport and active modes and also providing staff car parking*
- *Including for in-community, outreach service staff similar to local authority staff car*
- *Parking requirements*
- *Purpose built building, in excess of 7,000m²*
- *Good ambiance and amenities”.*

All 18 sites appear to be located centrally within the catchment, within or close to the most densely populated areas with existing services / facilities.

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Figure 2: Site Analysis: Site Identification Map



- **Site 1:** Site with existing footings for proposed Hotel in Newcastle. Site generally available for past 4 years. Zoned *RU* – site fails in relation to centrality (3), transport (5) and connectivity (6).
- **Site 2:** Existing Buildings and sites located with Citywest Business Campus. Various buildings and sites have been available for purchase over the past 3 years. Zoned *EE* - site fails in relation to zoning, site size (4), transport (5) and connectivity (6).
- **Site 3:** Harcourt Devts Sites north of Luas and Citywest. Zoned *RES* - site fails in relation to availability for development (2). Drive
- **Site 4:** Saggart Village – Zoned *VC* - site fails in relation to availability for development (2) and site size (4).
- **Site 5:** Tetrarch – residential zoned land adjacent Rathcoole, on Mill Road. Zoned *RES* – site fails in relation to availability for development (2) and connectivity (6).
- **Site 6:** Cosgrave Family Site, Mill Rd, Rathcoole. Zoned *RES* – site fails in relation to availability for development (2) and connectivity (6).
- **Site 7:** Existing Unused Carpark, Department of Education, Citywest Avenue. Zoned *RES* – site fails in relation to availability for development (2).
- **Site 8:** Cairn lands Citywest. Zoned *RES* – site fails in relation to availability for development (2).

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- **Site 9:** Glenveagh Lands, Barryoaks Citywest. Zoned *RES* – site fails in relation to availability for development (2).
- **Site 10:** Land to rear of Citywest Shopping Centre. Zoned *RES* – site fails in relation to availability for development (2).
- **Site 11:** Land to west of Corbally. Zoned *RES* – site fails in relation to transport (5) and connectivity (6).
- **Site 12:** Garters Lane – Tetrarch. Zoned *RES* – site fails in relation to availability for development (2).
- **Site 13:** Garters Lane, adjacent to Westpark Apartments – Tetrarch. Zoned *OS*. Site fails due to zoning, as well as transport (5).
- **Site 14:** Site at rear of Drury Mills and Crosforge Estate, Saggart Village. Zoned *RES* – site fails in relation to availability for development (2), transport (5) and connectivity (6).
- **Site 15:** The Walk, Citywest Avenue. Zoned *RES* – site fails in relation to availability for development (2) and connectivity (6).
- **Site 16:** 2nd site on The Walk, Citywest Avenue. Zoned *RES* – site fails in relation to availability for development (2) and connectivity (6).
- **Site 17:** Rathcoole, Main St. Zoned *VC* - site fails in relation to availability for development (2), site size (4) and transport (5).
- **Site 18:** Site off Citywest Hotel Avenue, Garters Lane. **Site passes but it is noted that a Material Convention would occur.**

Having regard to the contents of the Site Selection Analysis and Justification Report, whilst the Planning Authority is satisfied with the six criteria chosen to assess the suitability or otherwise of the 18 sites chosen, questions still remain over Site 13 (Garter's Lane) given its similarities with the application site. Further justification for the exclusion of Site 13 is therefore needed. This information should be requested by way of **Additional information**.

Urban Design, Architectural Form and Visual Impact

(i) Design Principles

In accordance with 5.2.1 The Delivery of Sustainable Neighbourhoods 'The Plan Approach', the eight key principles apply on all zoned development lands within the County and to a multitude of development types and land uses. The proposal is, therefore, considered against these principles. It is noted that the applicant has provided a 'Plan Approach' statement in their design statement (Section 15).

(a) Context: Consider existing natural, cultural and built heritage features and green infrastructure elements as well as social, economic and environmental factors that impact on an area.

Response: The proposal will provide health care for the catchment.

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- (a) Healthy Placemaking: Promote good urban design, which seeks to create public spaces that are vibrant, distinctive, safe and accessible and which promote and facilitate social interaction.**

Response: The general layout is acceptable, subject to detailed issues raised in relevant sections of this report.

- (b) Connected neighbourhoods: Promote public transport and other transport facilities that mitigate dependence on cars, promote safe walking and cycling, while assisting with internal movements within neighbourhoods.**

Response: The site is close to high frequency public transport and good pedestrian connectivity is provided.

- (c) Thriving Economy: Ease of access to and availability of good jobs and a good quality of life for the community at large.**

Response: Proposal would provide employment opportunities in the health service.

- (d) Inclusive and accessible: High quality services, community infrastructure and open spaces accessible to all.**

Response: The design statement details how people can use and access the development, as well as the provision of areas of open space.

- (e) Public Realm: A real sense of place, positive purpose and local distinctiveness, where buildings are not only attractive but also safe and useful with lots of green and open spaces for people to spend time, relax and play.**

Response; General design is considered acceptable.

- (f) Built Form and Mix: Promotes a mix of uses with appropriate increases in density and building heights in the right locations maximising the existing transport network and existing infrastructure.**

Response: The proposal is for a Primary Health Care Centre, with ancillary services, such as a pharmacy and amenity spaces.

- (g) Design and materials: High quality design, materials and finishes and good quality landscaping with robust maintenance protocols for all large residential, commercial and employment developments.**

Comments on materials are provided below. Landscaping is generally considered acceptable subject to the comments below.

- (i) Design Statement**

In line with the provisions of Policy QDP8 Objective 1, all medium to-large scale and complex planning applications (30 + residential units, commercial development over 1,000 sq.m or as otherwise required by the Planning Authority) shall be accompanied by a Design Statement.

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The **Design Statement** should address contextual and urban design issues and clearly explain the design process, the design options considered and the rationale behind the adopted design development strategy. A Design Statement should consist of:

- A detailed analysis of the proposal and statement based on the 12 design criteria set out in the '*Urban Design Manual*' (2009) and reflected in the South Dublin County Council's Building Height and Design Guide
- Detailed design including materials and external finishes which should have regard to the policy, objectives and provisions of the South Dublin County Development Plan 2022-2028. In particular the guidance, and performance-based design criteria set out in the South Dublin County's Building Height and Density Guide must be incorporated with due regard being had to relevant Ministerial Guidelines including the '*Urban Design Manual*' (2009); '*Sustainable Residential Development in Urban Areas*' (2009); '*Urban Development and Building Height – Guidelines for Planning Authorities*' (2018); and '*Design Standards for New Apartments – Guidelines for Planning Authorities*' (2020) or as may be superseded.
- A statement or Quality Audit addressing street design as outlined within the Design Manual for Urban Roads and Streets.
- Any departures within the proposed development from the guidance set out in the Building Height and Density Guide for South Dublin County (Appendix 10) shall be clearly highlighted in the Design Statement.

The applicant has submitted a Design Statement, prepared by PBA. This provides an analysis of the context, site zoning, location, including site analysis and scheme development. The aspects of scheme development include, concept, design and layout, open space and recreation, access and transport, sustainability and universal design. The applicant is requested to provide a revised Design Statement via **Additional Information** that addresses all the requirements of the CDP.

(a) *Layout*

It is noted that the floorplans indicate that a portion of the building at the eastern end reads as an entirely separate unit that is not accessible from the main building, save for emergency accesses. The applicant is requested to provide further details of what this unit is to be used for and justification for its separation from the wider PHCC unit and whether this unit will be operated by the HSE or is in anyway commercial. This information should be requested via **Additional Information**. It should be noted, that even if the Council is minded to support the PHCC use, should it transpire that the additional unit is not directly related to the PHCC, it is unlikely to be considered acceptable.

The layout of the scheme requires some modification. GI3 Objective 3 states '*To promote and protect native riparian vegetation along all watercourses and ensure that a minimum 10m vegetated riparian buffer from the top of the riverbank is maintained / reinstated along all watercourses within any development site*'. It is noted that there is an area of recreation close to an existing pond outside the site boundary and the applicant is requested to make revisions as

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necessary in order to ensure that all development, including areas of hardstanding and seating areas, are 10m or more from the top of the bank of this pond.

The Heritage Officer's and Water Services' Engineer's comments in relation to the ecology of the pond are noted in relation to the foregoing. **Additional Information** is requested.

With regards parking courts, Section 12.7.6 of the CDP states "*To ensure surface parking does not dominate the urban landscape, parking courts that are highly visible from the public domain, should be restricted in size (with no more than 40 spaces per court) and should be well landscaped. Where larger areas of surface parking are proposed they should be located behind buildings, and / or in the centre of blocks, so that they are obscured from view.*" The applicant is proposing 158 car parking spaces. These are located to the front of the building. There are two access roads to the parking spaces, which are not connected. It is noted that there is a central landscaped area (mostly hard landscaping) between the two parking courts, running approximately two thirds of the length. The remainder of the central area is cycle parking. The applicant has provided a number of CGIs that indicate some soft landscaping; however, the site layout drawing indicates the area dedicated to hardstanding represents a high proportion of this site zoned for Open Space. It is noted that the Roads Department has requested a reduction in car parking. The applicant is therefore requested to reduce the parking in line with the requirements of the Roads Department and provide further soft landscaping. Parking spaces should be interspersed with trees (and SUDs tree pits), with one tree every 5 spaces as a minimum. It is also recommended that the bicycle parking is re-sited so that it lies west of the main door of the building to support smarter travel objectives. Designating an area for possible use as a bus stop should one be provided by the NTA in the future would also support smarter travel objectives given the size of the identified catchment. Notwithstanding the conclusions of the Arboricultural Statement, further consideration should also be given to the relocation of the landscaped area sited to the centre of the car park northwards, so that it abuts the line of trees. This has potential to improve the usability of this space for recreation by service users and staff, contribute towards meeting the green space factor requirements, protect the trees during the construction phase of the development and improve potential bat habitat from light-spill from the car park. Further consideration of the approach of controlling staff versus service-user car parking by way of separate vehicular entrances off Garter Lane and separate internal roadways of the site may also allow for the rationalisation of the quantum of lands dedicated to hardstanding and an uplift in the performance of the proposals in terms of the green space factor, nature-based SUDs provision, landscaping as well as general design and appearance of the proposals. **Additional Information** is requested.

(a) Permeability

The Roads Department has raised concerns regarding permeability and the applicant is requested to address these via **Additional Information**

(b) Visual Impact

Given the location of the proposal, it will not be highly visible. There is a significant level of existing vegetation screening the site.

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- ESB substation – this will be inside the building.
- Bicycle parking – this is proposed to east and west of the seating area within car park.
- Service yard – the service yard is to the east of the building and will not be visible
- Pumping station – this will be situated adjacent to the car parking, east of the central garden. The majority of the substation will be underground but there will be a 2m high kiosk. The location and scale of the kiosk is acceptable.
- PV panels at roof level – these will not have a significant impact.
- Boundary treatment – A flat top railing with gate is proposed at the open space. A mesh fence is proposed around the southern boundary with pile foundations to protect the roots of neighbouring trees. The existing mesh fence to the north and existing timber fence to the east will be retained. The boundary treatments are considered acceptable.

(c) Architectural Form

Whilst the overall height and scale of the building is considered generally acceptable, further work is needed in the following areas:

- The articulation of the front building line and roofline should be reconsidered so as to improve the massing of the building when viewed from the adjoining area and so as to add architectural interest to the finished design. For example, save for an approx. 500mm projection on the left-hand side of the front elevation, the front building line presents as an 80m long flat façade and similarly there is minimal articulation to the front roofline. More extensive glazing, a reduction in external render and more consideration of finishes should be addressed. Where possible, cues should be taken from the building materials and finishes found within the nearby village and wider rural area.
- Consideration should also be given to how the lift core on the left-hand side (roof level) and other mechanical and electrical plant likely needed to the roof can be better screened and integrated with the wider building.
- Further consideration should also be given to the design and location of the outdoor seating area so that it meets the 10m setback requirements outlined elsewhere in the report.

The applicant is requested to address the above and provide a set of updated plans and elevations by way of **Additional Information**.

Signage

Section 12.5.7 of the CDP states:

- *“In general, signs on a building should only advertise goods or services that are associated with the premises and no more than two advertising signs should be erected on any elevation;*
- *Signs should generally be limited to the ground floor of a building unless located directly over the entrance to a major commercial or retail building;*

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- *Signs should be simple in design and integrate with the architectural language of the building and not obscure any architectural features;*
- *Signs should be proportionate to the scale of the building to which they are attached and sensitive to the surrounding environment;*
- *Signs attached to Protected Structures and in Architectural Conservation Areas should be in keeping with the character of the building and adhere to best practice conservation principles (see Section 12.3.8 Architectural Conservation Areas);*
- *Any sign or associated structure should not create an obstruction to pedestrian or cyclist movement or create a traffic hazard;*
- *Careful consideration should be given to the materials used in the construction of a sign and the methods used to light it.*

A number of signs are proposed as part of the overall development. These include:

1. A large HSE sign (with logo) located on the top right hand corner of the front façade.
1. A smaller HSE sign (with logo) located above the main entrance door.
2. The main entrance sign on the front canopy of the building.
3. A smaller sign on the secondary entrance of the building.
4. Sign for the Pharmacy over the entrance door of the Pharmacy.
5. A totem sign – 2.25m high, 1.5m wide and 0.15m deep which is to be located at the entrance of the car park.

Whilst there is currently a question mark against the proposed use of the ‘ancillary unit’ and the subsequent need for a separate entrance sign, the positioning of each of the 6 main signs listed above will assist in wayfinding and are therefore generally considered acceptable.

Notwithstanding the above, questions still remain over the final details of some of the signs (discussed in detail hereunder), which it is recommended be addressed by way of **condition**.

- Totem Sign

The totem sign would be located at the entrance, close to the more southerly roadway. Table 3.19 identifies different types of signage. In accordance with this, public information panels are generally acceptable, subject to the following “*Should not obstruct footpath / cycle paths. Advertising permitted on public information panels will be restricted and should constitute not more than 50% of the total area*”. The proposed development meets these requirements. However further details is needed on the illumination levels of the sign. If minded to grant, this should be requested by way of **condition**.

- Building Signage

Further details are needed on the exact design of each of the building signs, including the design of the lettering, illumination styles and exact wording in a number of cases. It is recommended that such details could be addressed by way of **condition**.

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Impact on Protected Structure

The report from the Architectural Conservation Officer states:

“There are no Protected Structures within the subject site or any PS within close proximity that will be impacted on directly by the proposed development.

Saggart Village is not an Architectural Conservation Area therefore I have no comments in this regard.

I would suggest however that an architectural impact including a design rationale be carried out to provide an assessment of the new development within the existing site context given the character of the environs being a village and rural setting.

The proposed new Primary Care Centre has some architectural quality, however given its mass and scale I would like to see more design interest and use of materials to break the bulk up and it would be nice to see some design elements or materials to reflect the village and rural setting.”

The applicant is requested to consider these comments in their revised design statement.

Additional Information is requested.

Residential Amenity

Overlooking, Overbearing, Overshadowing

The applicant is requested to provide a plan indicating the distance of the site and buildings from the nearby residential properties and set out details of any impacts, including daylight and sunlight, if necessary. It is noted that existing tree cover between the proposal and the boundary and the adjacent residential properties will remain, however, it is unclear whether the trees are within the applicants control. The applicant is requested to consider if further planting is necessary along the south eastern boundary. **Additional Information** is requested.

Access, Parking & Permeability

The Roads Department Report states:

Access & Roads Layout:

The site will be accessed by the shared road for the Citywest Hotel and Convention Centre onto Garter Lane. It is located immediately to the west of the south of the access road. This entrance is a signalised junction. An arm from the existing roundabout within the site gives access to the development.

The site is serviced by a Luas stop (500m away) and busses nearby.

There is a cycleway along Fortunestown Lane/Citywest Drive. A new cycleway is planned along Garter Lane, with another one planned for Fortunestown Lane/Citywest Drive

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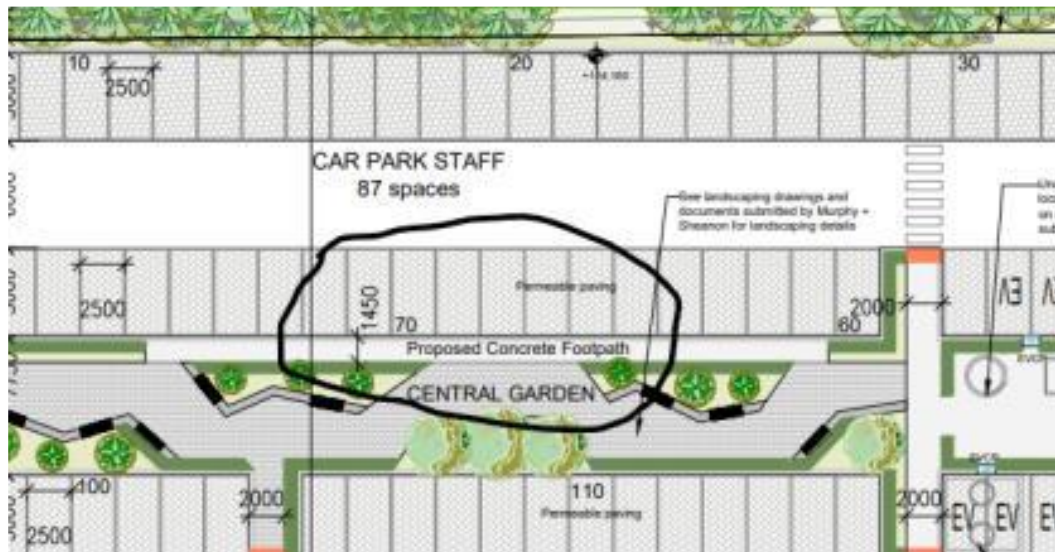


Permeability:

Within the site, it is proposed that there will be separate entrance points for staff and visitors. Both will be controlled by barriers.

There is insufficient permeability for pedestrians/cyclists accessing the site. As proposed, the only entry point is at the barriers. A pedestrian/cyclist access point should be located at the north east of the site close to the entrance from Garter Lane.

All pedestrian walkways to be a minimum of 2m in width. The walkway adjacent to the Central Garden is 1.4m.



The applicant to provide a drawing of not less than 1: 200 scale showing all pedestrian walkways a minimum of 2m wide.

Traffic and Transport Assessment:

The Traffic and Transport Assessment was conducted at 2 no. junctions, junction 1, the exit from the site onto Garter Lane and junction 2, the junction at Garter Lane/Fortunestown Lane.

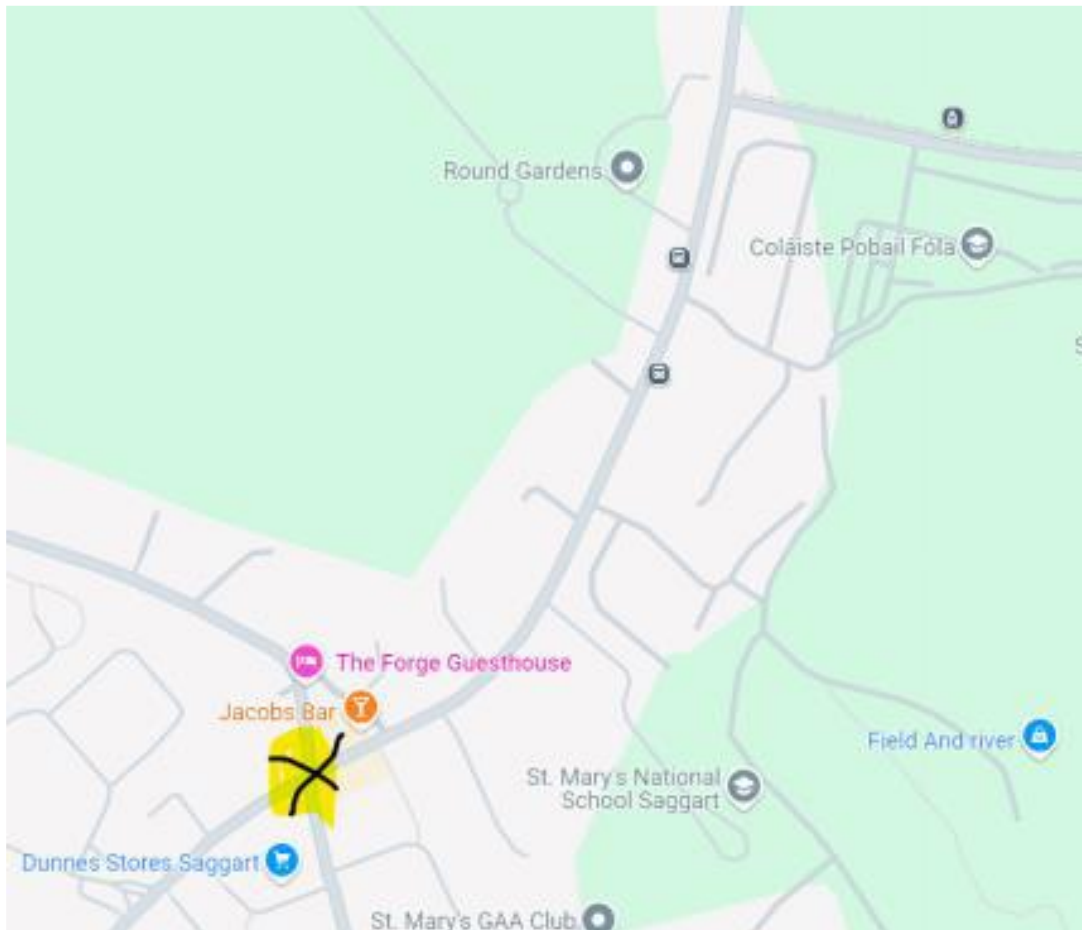
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Traffic movements were compared to a junction survey conducted in 2019 when the hotel was fully functional and a major conference was being held, instead of its current use as an IPAS refugee centre. The applicant factored up the 2019 traffic survey by 5 years to get more realistic current figures.

From the analysis provided, junctions 1 and 2 are within capacity.

However, no analysis was done for the cross roads at Saggart Village, i.e. Garter Lane/Mill Road.



The applicant shall provide a full Traffic and Transport Assessment to include the effects of the proposed development at the Garter Lane/Mill Lane junction.

The applicant envisages that a maximum of 150 No. staff will be employed on site at any one time during the working day.

Road Safety Audit:

The applicant shall provide a Stage 1 & 2 Road Safety Audit.

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Car Parking:

Zone 2	Unit	Parking rate	No. spaces
Clinic and Group Practices	98 no. consulting rooms	1.5 per consulting room	147
Commercial (Retail Convenience)	Pharmacy - 104 sq m	1 per 25 sq m	4
Duplex	Offices - 628 sq m	1 per 75 sq m =	8
Total			159

Table 12.25 Maximum Parking Rates, South Dublin County Development Plan 2022-2028

The **maximum** number of car parking spaces permitted for this development is **159 no.** The applicant proposes to provide 158 no.

Roads recommend that a parking ratio of 0.63 to 0.7 be used. This gives the number of car parking spaces as between **100 no.** and **110 no.**

The proposed development shall make provision for the charging of electric vehicles. 100% of spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 20% of surface car parking spaces must be provided with electric vehicle charging points initially.

Details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge) shall be submitted.

5% of car parking spaces should be allocated for mobility impaired users. The applicant shall provide a drawing of not less than 1:200 scale showing a revised parking layout.

Bicycle Parking:

Location	Bike				
	Minimum spaces calculation				
Rate	Long term	Rate	Short stay	Total	
Clinic and Group Practices	1 per 5 staff (150)	30	0.5 per consulting room (98 no)	49	79
Pharmacy	1 per 5 staff (150)	0	1 per 50 sq m (104 sq m)	2	2
Offices	1 per 200 sq m (628 sq m)	3	1 per 200 sq m (628 sq m)	3	6
Total					87

Table 12.23 Minimum Bicycle Parking Rates, south County Development Plan 2022-2028

The minimum number of bicycle parking spaces required is **87 no.** the applicant proposes to provide **90 no.** spaces. Changing and showering facilities will be provided in the development.

All bicycle parking spaces must be covered and shall be constructed in line with National Cycle Manual standards.

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The Roads Department are satisfied with this proposal.

Swept path analysis:

An AutoTRAK drawing has been provided for refuse, fire vehicles and mini busses. The Roads Department is satisfied with this proposal.

Mobility Management Plan:

It should be noted that the Mobility Management Plan states that the number 69 bus has a frequency of 3 no per hour. This is in fact 1 no. per hour.

A revised Mobility Management Plan should be provided within 6 months of the opening of the development'.

Additional Information is requested.

Landscaping & Public Open Space

The Parks Department has no objection, subject to the following **conditions**:

1. SUDS

Much greater use of green space for SUDS is required. Flows should be directed into the central landscape area and kept on surface where possible or into an extensive interconnected tree pit network. Much greater use of tree pits is also required given the loss of trees on site.



rm: Aisling Kelly <akelly@SDUBLINCOCO.ie>

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1. Green Space Factor (GSF)

Prior to the commencement of any works on site, the applicant, shall submit, and obtain the written agreement of the Planning Authority, a GSF calculation detailing how they have achieved the appropriate minimum Green Space Factor (GSF) scoring established by their land use zoning.

Given **additional information** has been sought on other matters, it is considered that this information should also be secured via **additional information**. In addition, the green space factor requirement of 0.7 may have significant knock-ons for the proposals.

Heritage

The report from the Heritage Officer states:

“It is noted in the submitted ecological report that the proposed development site was surveyed in April 2024. While it is accepted that some of the proposed development site currently presents as bare ground and hard standing, the timing of the survey precludes a full assessment of the woodland habitat present on the site. The timing of the survey would also not have been appropriate for the survey of bat activity, particularly given the wet and inclement weather that occurred in April and May 2024.

While an assessment of potential bat roosting potential was undertaken and presented in the submitted ecological report, the lack of an appropriately timed bat activity survey is a gap in the ecological data for this proposed development site. This prevents an appropriate evaluation of potential impact on local bat populations, impacts which could arise from the proposed development which is situated in a location that currently adjoins a dark area as represented by the golf course. The potential for the proposed development to sever or to fragment bat commuting and feeding routes would need to be addressed.

RECOMMENDATION: *Additional information is requested in the form of a detailed bat activity survey. This is required to be undertaken at the appropriate season and under appropriate weather conditions for the determination of feeding and commuting activities. The survey is to determine bat foraging activity levels and the main commuting routes in the vicinity on the proposed development, so that a fair assessment of potential impact on the green infrastructure currently being availed of by bats in the area can be evaluated, and appropriate mitigation proposed where required.*

There is a lack of clarity regarding the potential impact of proposed surface water discharge to the adjacent pond system. Conclusions in the ecological report regarding potential impact during construction and post construction appear contradictory, and it is unclear if these conclusions correlate correctly to proposals in the water drainage proposals. Given the potential for frogs and newts (protected species) to be present in the receiving wetland habitats, clarification would be required to ensure that no deterioration of water quality would result. A reassessment and redesign of the SuDS measures as currently proposed would assist, to avail more from the principle of on-site filtration and cleansing of water through the use of more tree

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pits and rain gardens, rather than the delivery of collected rainwater from the currently designed SuDS system to the pond wetland.

RECOMMENDATION: Additional information is required to clarify proposals in relation to the management of surface water, in particular to address apparent contradictions regarding potential impacts on the receiving pond arising from the currently proposed use of SuDS measures."

Additional Information is recommended.

Services & Drainage

The report from Water Services states that there are no objections, subject to:

Surface Water

- *Direct surface water from roads above ground onto green spaces instead of being piped underground.*
- *Minimise road gullies where possible. Where road gullies are used ensure that same do not divert surface water away from tree pits.*
- *There shall be a minimum 10m setback distance from any watercourse or pond.*
- *Comply South Dublin County Council (SDCC) SuDS Guide which is available online at Sustainable Drainage Systems SDCC.*

Flood Risk

- *All works shall comply with the Greater Dublin Regional Code of Practice for Drainage Works.*
- *Surface water and foul water systems shall be separated".*

Given additional information is being sought regarding a number of other matters, **Additional Information** should be sought to address surface water issues also.

Noise and Environmental Health

The Environmental Health Officer states the proposal is acceptable, subject to **conditions**.

Energy

The Design Statement states "*The applicant has committed itself to deliver a European Union Taxonomy compliant building. Guided by the principles of the EU Taxonomy, our project embodies the ethos of environmentally responsible design.*

What is EU Taxonomy? The EU Taxonomy is a system that defines environmentally sustainable economic activities, providing a framework for determining whether an economic activity is environmentally sustainable by establishing criteria across six environmental objectives as outlined in the European Green Deal and the Paris Agreement. The taxonomy assists investors, companies, and policymakers in identifying sustainable investment opportunities and supports the transition to a greener economy.

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To comply with these standards, the building will ensure its Primary Energy Demand (PED) is at least 10% lower than the benchmark for Nearly Zero-Energy Buildings (NZEB), which currently establish we need to deliver an A3 rated building. By surpassing these rigorous standards, we not only meet regulatory requirements but also actively contribute to climate change mitigation objectives."

The applicant has also produced an Energy and Sustainability Report.

This is considered acceptable.

Archaeological Heritage

The Department has no objections, subject to **conditions**.

Aviation

The Department of Defence has no objections, subject to **conditions**.

Implementation

In accordance with Section 12.8.6 of the CDP "Major new commercial developments greater than 5,000 sq m in size, in the case of non-residential development, and in excess of 500 units in the case of residential development, will be required to incorporate a physical artistic feature into the scheme to improve the built environment / public realm. This may include high quality features within the environment or landscaping, in agreement with the Council." The applicant is requested to detail how this will be addressed via **Additional Information**.

Screening for Appropriate Assessment

An appropriate assessment screening report has been prepared by

This concludes:

"This report identified the presence of European sites (Natura 2000) within the potential zone of influence. The report also noted that the development site is approximately 16.3km distant from the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024) and South Dublin Bay SAC (Site Code: 000210), and 19.3km distant from North Dublin Bay SAC (Site Code: 000206) and North Bull Island SPA (Site Code: 004006).

The potential for impacts to European sites as a result of the development site such as potential water quality impacts, introduction of invasive species, habitat destruction and impacts from noise and dust were considered and the level of risk posed assessed.

During Stage 1 Screening for Appropriate Assessment, it was considered that there would be no potential for a significant impact upon the qualifying interests / special conservation interests of the South Dublin Bay and River Tolka Estuary SPA, North Dublin Bay SAC, South Dublin Bay SAC and North Bull Island SPA during both the construction and operational phase of the development site.

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This report presents a Stage 1 Appropriate Assessment Screening for the development site, outlining the information required for the competent authority to screen for appropriate assessment and to determine whether or not the development site, either alone or in combination with other plans and projects, in view of best scientific knowledge, is likely to have a significant effect on any European or Natura 2000 sites. It is considered that there would be no significant risk of negative impact, either alone or in combination with other plans or projects, to the integrity of the Natura 2000 network. Therefore, a Natura Impact Statement is not required.

Accordingly, having carried out the Stage 1 Appropriate Assessment Screening, the competent authority may determine that a Stage 2 Appropriate Assessment of the development site is not required as it can be excluded, on the basis of objective scientific information following screening under this Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011, as amended, that the development site, individually or in combination with other plans or projects, will not have a significant effect on any European site.

It can be objectively concluded that no significant effects arising from the development site are likely to occur in relation to the South Dublin Bay and River Tolka Estuary SPA, North Dublin Bay SAC, South Dublin Bay SAC, and North Bull Island SPA or indeed any other Natura 2000 site in the wider hinterland”.

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

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Other Considerations

Development Contributions

7,760.9sq.m

Monitoring for Strategic Environmental Assessment

Building Use Type Proposed Primary Health Care Centre

Floor Area (sq. m) 7,760.9sq.m

Land Type Greenfield

Site Area (ha) 1.66

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Conclusion

Aside from items relating to the consideration of the principle of materially contravening the zoning objective of the County Development Plan, there are several other elements of the proposals that would require revision and further consideration to comply with the County Development Plan 2022-2028. As such, it is considered that the applicant should be invited to address the concerns raised by way of **Additional Information**.

Recommendation

Request Additional Information

Additional Information Assessment

Additional information requested: 17.09.2024

Additional information received: 22.11.2024

Consultations:

External

Department of Housing, Local Government & Heritage: No report received at time of writing.

Irish Water: No objection, subject to **conditions**.

National Transport Agency: No report received at time of writing.

Transport Infrastructure Ireland: No report received at time of writing.

Environmental Health Officer: No report received at time of writing.

Internal

Community Department: No report received at time of writing.

Architectural Conservation Officer: No objection, subject to **conditions**.

Development Plans / Forward Planning: No report received at time of writing.

Economic Development: No report received at time of writing.

Heritage Officer: No objection (verbal report), subject to **conditions**.

Parks and Public Realm Department: No objection, subject to **conditions**.

Roads Department: No objection, subject to **conditions**.

Water Services: No objection, subject to **conditions**.

Assessment:

Item 1:

Use

- (a) *It is noted that a number of submissions have been made, indicating that there is an intention to move existing services, including the 4 Districts Day Care Centre, and GP services. The applicant is requested to clarify whether any services will be relocated as a result of the proposal or whether all services are additional above and beyond those that are already provided within the local community. More generally, the applicant is invited to address any other items raised to third-party submission or observations received.*

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- (a) Whilst the Planning Authority is satisfied with the six criteria chosen to assess the suitability or otherwise of the 18 sites chosen within the Site Selection Analysis and Justification Report, questions still remain over the suitability of Site 13 (Garther's Lane) given its similarities with the application site. The applicant is therefore requested to provide more robust justification for the exclusion of Site 13, which appears similar to the proposed development site.*

Applicant's response:

- a. *The HSE has submitted a cover letter stating:
"The proposed Citywest PCC will serve the Community Healthcare Network of Newcastle, Citywest & Saggart (CHN 9). The HSE note there is an increasing demand now & future predicted for Community Health & Social Care Services in the CHN 9. The proposed Citywest PPC is considered an addition to the current provision & seeks to address future predicted demands of community services in CHN 9. There are no plans at present to close the existing Health Centres at Newcastle, Citywest & Saggart. Concerning Older Persons Services & the 4 Districts Day Care Centres, the proposed Citywest PCC seeks to enhance current provision within CHN 9. The PCC includes at ground floor level an Older Persons Day Care Centre, the proposed facility has a greater floor area than the existing 4 Districts Centres combined & includes dedicated outdoor facilities, with a direct level access garden area. It is proposed to gradually relocate with the agreement of clients from the 4 Districts Day Care Centres to the purpose-built PCC. It is also proposed to have a dedicated bus to provide Older Persons transport from their home to the Day Care Centre, with the intended transport provision outlined in the Citywest PCC traffic & transport scheme".*
- a. *The response from the applicant states:
"Option site 13 was considered by HSE under the criteria set for site selection, which included centrality in the district and accessibility. The proposed option site 18 has superior centrality and accessibility, with existing improved road infrastructure including safe pedestrian and cycle access already in place and proximity to developing neighbourhood facilities including schools etc.". The applicant also states that the urbanisation trend has been to the south and Site 13 is peripheral and comparatively inaccessible when compared to Site 18 and noted that Site 13 would require additional infrastructure to be put in place at considerable cost and may lead to significant impact on existing natural features. The applicant notes a number of policies and objectives in the CDP that would support the location of Site 18, namely CS6 Objective 5, Policy CS8: Saggart, CS8 Objective 3, Policy COS6: Healthcare Facilities, COS6 Objective 1 and COS6 Objective 3. In conclusion, the applicant states "It is submitted that a robust justification for the exclusion of Site 13 was provided in the Site Selection Analysis and Justification submitted at planning application stage and further detail has been provided in this response to confirm that the subject site is the only suitable site for the development".*

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Planner's Assessment:

- a. The applicant has confirmed that it is not proposed to relocate existing GP services. It is proposed to gradually relocate the 4 Districts Day Care Centre. This relocation will enable the use of more up to date facilities with dedicated outdoor areas. It is noted that the applicant states “*All of the other comments included in the 4 no. third-party submissions are addressed in the remainder of the further information response items*”. The applicant states that no Health Centres within the catchment will close as a result of the proposed development. The applicant's response to the additional information request is considered acceptable.
- a. The applicant has clarified the benefits of the chosen site over Site 13. The Planning Authority concurs with this assessment. The Planning and Development Act 2000 (as amended) gives the Planning Authority powers to support an application that materially contravenes the development plan in exceptional circumstances. Given the nature of the proposed use as a Primary Health Care Centre, together with the lack of available sites of suitable zoning, the Planning Authority is of the opinion that in this instance, the applicant has demonstrated that exceptional circumstances exist to support the proposal.

In summary, the Planning Authority is satisfied that the applicant has adequately addressed Item 1 of the Further Information Request.

Item 2:

Design and Use

- a. *The applicant is requested to make design revisions to the proposals. While the height and scale of the structure is generally acceptable, articulation to the front building line and roofline should be reconsidered to improve its massing and architectural interest. Reconsideration of finishes is requested, this may include more extensive glazing and a reduction in rendered finish to improve the structure's appearance, along with screening enclosure finishes to liftcore pop-ups and likely necessary rooftop mechanical and electrical plant.*
- a. *The applicant is requested to provide a revised design statement addressing (a) as well as all provisions of Policy QDP8 and Section 12.5.2 of the CDP. In line with the comments of the Architectural Conservation Officer, the applicant is also requested to assess architectural impact including a design rationale, to provide an assessment of the new development within the existing site context give the character of the environs being a village and rural setting.*
- b. *The applicant has indicated the pharmacy will be the only commercial floorspace to the development. As GP Practices are generally commercial operations, the applicant is requested to confirm that the proposed GP Practice will be operated by the HSE instead of being operated as a small business. Similarly it should be made clear by reference to specified quantum of proposed floorspace if any other healthcare practitioners or healthcare services will be operating from the proposed premises as businesses having regard to Section 12.8.3 of the County Development Plan.*
- c. *It is noted that the floorplans indicate that a portion of the building at the eastern end has a separate entrance and that internally, this is not accessible from the main*

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- building, save for emergency accesses. The applicant is requested to provide details of the intended use of the unallocated space, its relationship with the PPHC, who will manage and operate this space, as well as justification for the separation of this unit. In the absence of same, it may be refused permission/removed by condition even if the wider PPHC is recommended for a grant of permission.*
- d. It is noted that the recommendation of a 10m development-free zone around the pond recommended by Water Services and the Heritage Officer may have knock-ons for service-user vehicular entrance off Garter Lane, as well as the proposed area of amenity space west of the proposed building. The applicant is requested to revise proposals so that all development, including areas of hard standing, internal roadways and seating areas and outdoor lighting, are not within 10m from the top of the bank of this pond in line with the recommendations of Water Services and the Heritage Officer.*
 - e. The reduction in parking to comply with County Development Plan parking standards will provide opportunities for improved soft landscaping, nature-based sustainable urban drainage, improvement in the green space factor score and a reduction in the quantum of land dedicated to hardstanding as well as an improvement in the overall appearance of the development. Parking spaces should be interspersed with trees, with one tree every 5 spaces as a minimum. In addition to reduced car parking provision, alternative approaches for managing staff versus service-user car parking spaces instead of the proposed 2 no. vehicular entrances and 2 no. roadways off Garter's Lane may provide for more efficient use of the lands with knock-ons of improving the performance of the site in terms of the green space factor and nature-based sustainable urban drainage arrangements, reducing the proportion of the site dedicated to hardstanding, as well as improving the design/appearance of the overall development (as indicated to item c above the vehicular access arrangements may require revision in any case to provide a 10m development free area around the pond).*
 - f. The applicant is requested to consider relocating the landscaped area sited to the centre of the car park northwards so that it abutts the line of trees outside the northern boundary of the site. This has potential to improve the quality and usability of this amenity space for for service users and staff, contribute towards meeting the required green space factor score of 0.7, improve nature-based SUDs provision, protect the trees during the construction phase of the development and reduce light spill into the tree line from the car park enhancing its habitat value.*
 - g. In accordance with Section 12.8.6 of the CDP Major new commercial developments greater than 5,000 sq m in size, in the case of non-residential development, and in excess of 500 units in the case of residential development, will be required to incorporate a physical artistic feature into the scheme to improve the built environment / public realm. This may include high quality features within the environment or landscaping, in agreement with the Council. Please address.*

Applicant's response:

- a. A letter provided by Paul Byrne Architects states:*
 - Central Projection: A secondary projection has been added at the centre of the building's façade. This feature introduces articulation and breaks up the building's length, with a*

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- slightly elevated roofline serving as a focal point and providing a prominent location for the Primary Care Centre's name, enhancing visibility and identity from the site entrance.*
- *Window's re-design: We have re-designed the windows to achieve a more interesting and contemporary architectural appearance. The new window design incorporates dark-framed, floor-to-ceiling windows with interspersed vertical louvres in front of the openable sections and fixed glass in the non-openable areas. This design allows natural light into the building while also providing the required natural ventilation in a safe manner. As before, vertical spandrel panels but now in a buff/brown shade connect the windows across floors, complementing the brickwork. These vertical elements break up the building's horizontal emphasis with rhythm and depth, softening the overall scale.*
 - *Incorporation of more extensive use of glazing: At the north-west corner of the building, a corner window with a projecting frame provides a welcoming and distinctive architectural feature upon approach. Additional glazing at the main entrance further emphasises this focal point, contributing to the building's visual interest and enhancing natural light.*
 - *Canopy re-design: The canopy has been extended to cover the entire footpath at the main entrance, creating a more prominent and inviting entry feature.*
 - *Reconsideration of finishes: The finishes have been reconsidered to enhance the building's integration with its surroundings. A warmer buff-grey brick has now been applied to both the central and corner projections along the façade, replacing the previously proposed light grey brick. The entire ground floor is finished in a darker grey, nearly black render, which extends to the two-storey canopy at the main entrance, adding contrast and giving the entrance a more defined presence. The remainder of the building is finished in a warm off-white-beige render, with metal elements introduced in the canopy for added texture and visual interest. The revised colour palette now incorporates neutral and earthy tones that reflect the character of the nearby village and surrounding landscape. These tones, which are traditionally seen in the area, include soft buff greys, warm browns, off-white-beige renders, dark greys (reflecting traditional village slated roofs) and touches of green from vegetation introduced along the ground floor façade. By using a soft colour scheme, the building blends harmoniously with its setting, creating a calming, cohesive appearance that avoids overwhelming the surrounding area. Also, the use of brick and the other materials is important to create an entity that shares characteristics of the surrounding environment in a modern topology.*
 - *Plant room on roof and screening: To minimise the visual impact of the enclosed plant rooms on the roof, we have selected a dark grey finish (to match the selected render in the ground floor). This darker tone helps the structure blend into the background by reducing its visibility and creating a shadow effect, which makes the volume appear smaller and less prominent within the overall building façade.*
 - *Additionally, any other external plant equipment located on the roof, outside the enclosed plant room, will not be visible from ground level, as shown in the 3D images. This equipment has been strategically positioned in the centre of the roof. This central placement, along with the provision of higher-than-usual parapets (min. 1.1m high) serving as guardings and the building's overall height, ensures that the equipment is either not visible or only minimally visible to pedestrians at ground level. The existing*

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evergreen trees, retained to the north, east, and south / south-west of the building, also help to screen the plant equipment from neighbouring properties and from a distance, providing a natural barrier that screens the building itself.

- a. *The applicant has submitted a revised design statement, which addresses all provisions of Policy QDP8 and Section 12.5.2 of the CDP. The amended Architectural Design Statement includes all modifications to the previously submitted statement, reflecting the new design and addressing points that were omitted in the earlier document. It provides a detailed analysis and statements based on the 12 design criteria set out in the Urban Design Manual, as well as those reflected in SDCC's Building Height and Design Guide, among other guidelines. The applicant has also provided a Road Safety Audit covering street design as outlined in the Design Manual for Urban Roads and Streets (DMURS). A design rationale assessing the architectural impact has also been included in the document.*
- b. *The cover letter from the HSE states: "The proposed Citywest PCC will include for GP Services, this is a noted difference between Health Centres & Primary Care Centres, in that Primary Care Centres include GP Services. To note, GP Services are operated independently within the PCC by GP Practices & not as a direct HSE service provision. This collocation of public & private healthcare provision does allow for close adjacencies between GPs & HSE Community Health & Social Care services & seeks to assist attending clients. In addition, GPs within a PCC must provide accommodation to Government funded General Medical Services Card Patients (GMS Patients)".*
- c. *The floorplans have now been amended to show direct internal connection. The applicant states "The subject building has been designed and sized to meet HSE criteria which allows for forecasted expansion. The HSE and Feasible, the project managers, have vast experience of PCC requirements and the established pattern of development of PCCs is that expansion space is important to provide a range of services. Therefore, the space is not unallocated, it is allocated for expansion".*
- d. *The amended Proposed Site Plan (drawings 20187-P100 & P111) shows a minimum 10m development-free zone around the top of the bank of the pond for all new proposed elements.*
- e. *The car parking layout has been revised and a reduced number of parking spaces are proposed. The applicant states "The HSE asks the Planning Authority to note that the proposed PCC will be a hub for the provision of outreach services in the community throughout the catchment area as a public service akin to that provided by a local authority except in the medical arena, requiring many staff to base themselves in the Centre, collect materials and then visit patients in their homes every day. Therefore, adequate parking is required for external staff and those making essential visits to the CPCC". tree pits between parking spaces. Tree pits have now been included between car parking spaces. Within the tree pits, it is proposed to have a bioretention plant mix (plant mix 6) and carpinus betulus trees. The revision of the vehicular entrance to have only one entrance instead of two has allowed for an increase in the area of planting around the entrance.*

BMCE have responded as follows: -

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Where possible a considerate effort has been made to implement all of SDCC's Green infrastructure policies which are relevant to the site and significant improvements to the green space factor (GSF) have been achieved through the reduction in hardstanding impermeable areas and the introduction of more nature based sustainable urban drainage systems (SuDs) such as bio retention areas, bio retention tree pits, permeable paving and permeable asphalt roads.

Additionally, it is proposed to retain a larger number of existing trees. The implementation of these measures have resulted in an improvement in the GSF from 0.28 to 0.46. SuDs systems have been implemented throughout the site ensuring that all rainwater falling on the site will be captured by one of these SuDs systems prior to discharging to a detention basin to the south of the site.

- f. The parking layout has been revised, this revision includes relocating the landscaped area in the centre of the site to the northeast to create a wider soft landscaping buffer into the site.*
- g. The applicant states "The HSE is a public service provider in the healthcare sector. The development forms part of the Governments Primary Care Strategy, to improve primary care medical infrastructure as part of an integrated approach to care delivery. The proposal accords with the HSE National Service Plan 2020. Therefore, the proposed development is not commercial in nature... Notwithstanding the above, an indicative location for an artistic feature has been identified on the PBA site plan and the applicant intends to engage with SDCC to address the addition of such features and should planning permission be granted – a condition regarding this may be attached to a decision to grant permission".*

Planner's Assessment:

- a. The applicant has given further consideration to the design of the building and it is noted that the concerns raised have been addressed. A **condition** is recommended in the event of a grant of permission to agree the materials.*
- a. The applicant has submitted a revised Design Statement, which assesses the revised design, as well as some issues not covered previously in the original Design Statement, i.e. Design Rationale, Urban Design Manual assessment and DMURS assessment.*

In terms of design rationale, the applicant states the proposal consists of a contemporary design, in response to a changing environment, the materials and colour palate are inspired by local context and that the proposal responds to the needs of a modern community.

The report from the Architectural Conservation Officer states "The following points outline the key design considerations and strategies which are contained in the Design Statement – "A Contemporary Design in Response to a Changing Environment. In recent years, Saggart Village, Citywest and its surrounding area have seen a significant increase in modern residential developments, responding to the growing demand for

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housing and amenities. New apartment buildings and contemporary houses are being constructed or have been granted, establishing a balanced mix of traditional and modern architectural styles. The design for the Primary Care Centre embraces this change by presenting a clean, contemporary aesthetic that complements the area's newer structures...".

The Design Statement has provided an appraisal of existing materials and finishes within the village core. Details of the proposed material palette has also been included which provides for a neutral choice with a mix of render and brick. The contemporary design is acceptable and welcomed with regard to ensuring a balance between that of traditional and modern architectural styles.

Based on the AI submission and the above appraisal I would recommend the following be attached to a grant of permission:

"A full Schedule of Materials and finishes should be submitted for agreement and approval by the Councils Architectural Conservation Officer prior to the commencement of development.

Reason: To ensure that materials and finishes are of high quality and achieve the appropriate design and colour palette within the site context and in close proximity to the Saggart Village".

The above **condition** should be attached to any grant of planning permission.

The 12 criteria of the urban design manual are assessed as summarised:

1. *CONTEXT & SETTING* – proposal responds to natural features and height / scale balanced to ensure smooth transition to nearby residential uses.
1. *CONNECTIONS* – site has excellent pedestrian connectivity, cycle parking and is in close proximity to public transport.
2. *INCLUSIVITY* – Accessibility has been a key consideration, given the intended use. Numerous measures included to access the building and design of the building.
3. *VARIETY* – centre will provide a range of health care facilities.
4. *EFFICIENCY* – Efficient use of land and SuDS features proposed. Proposal meets NZEB standards.
5. *DISTINCTIVENESS* – Features like earthy colours, vertical lines, and a striking facade make the building a standout landmark, whilst maintaining harmony with its context.
6. *LAYOUT* – Layout prioritises people, with separation of staff and visitor areas. Building frontage is active and there are landscape buffers.
7. *PUBLIC REALM* – landscaping and SuDS have been integrated into parking areas. Accessible landscaped spaces provided.
8. *ADAPTABILITY* – Design is flexible, allowing for future changes in use or expansion. Internal reconfiguration possible.
9. *PRIVACY AND AMENITY* – mature trees maintained to ensure privacy of adjacent residential. Windows to consulting rooms ensure amenity for consultants.

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10. *PARKING* – 130 spaces provided. 20% EV. 90 cycle parking spaces
11. *DETAILED DESIGN* - The façade incorporates a mix of materials and textures, including brick, render, and glazing, to create a visually engaging and context-sensitive design. The landscaping strategy integrates SuDS features such as tree pits and a detention basin, biodiversity. Colour palette consists of neutral tones.

In terms of DMURS, the applicant concludes: In our opinion, the development of the Citywest Primary Care Centre adheres to the principles of the DMURS by prioritising safety, accessibility, and environmental sustainability. The findings of the independent Road Safety Audit, combined with the thoughtful design of car park and pedestrian infrastructure, reinforce the project's commitment to delivering a high-quality, user-centred environment.

- b. It is noted that the proposal will include private GP facilities and that this is standard for Primary Care Centres. It is considered that that the applicant's response to the additional information request is acceptable.
- c. It is noted that the floor area at the eastern end is now integrated within the main building and that its proposed use is for HSE forecasted demand. It is considered that that the applicant's response to the additional information request is acceptable.
- d. The 10m buffer from the edge of the top of the bank of watercourses is noted. Water Services has requested a condition ensuring this is maintained. It is considered that that the applicant's response to the additional information request is acceptable.
- e. The quantum of car parking is accessed further below. In relation to the revised access points, the Roads Department has stated: "*The roads section believes that pedestrian and cycling permeability could be improved by having an active travel route at the North-East of the site. This would be a more direct route to the bus stops and Luas lines and would encourage better sustainable mode share at the proposed development*". The following condition is recommended in the event of grant "*Prior to commencement, the applicant shall submit a drawing showing a pedestrian /cycle link from the Primary Care Centre to the north-east boundary of the development. This sustainable travel link to the existing cycleway/footpath and will provide a more direct route to the Bus stops on Garter Lane and Luas station*".
- f. The applicant has relocated the central open space and the area around the trees to the north has been increased. The Parks and Public Realm Department has raised no objections to this and has requested the following condition regarding the retention of an arborist: "*The applicant shall engage an arborist to implement the recommendations of the Arboricultural Method Statement and Tree/hedgerow Protection Plan. Before commencing site works, the arborist must inform the Public Realm Section when tree protection measures are in place and schedule a meeting to demonstrate compliance with the plans. Post-construction, the arborist will conduct a survey and assessment of*

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- retained trees. A completion certificate, confirming adherence to the tree report's recommendations, must be signed by the arborist upon finishing permitted development works. This certificate shall be submitted to the Public Realm Section for approval”.*
- g. It is noted that the proposal is not for commercial development and that public art is therefore not required in this instance. The applicant has, however, stated, that they would nonetheless be willing to accept a condition regarding same. Section 12.8.6 of the CDP states “*Development proposals for Public Art will be supported in suitable, accessible locations within the County. Public art should reflect the character of the area, whether historic or contemporary, and shall be designed in consultation and agreement with the Council*”. It also states “*This may include high quality features within the environment or landscaping, in agreement with the Council*”. Given the public nature and location of the building, it is considered that some form of feature could improve the public realm in the area and a condition is recommended regarding the provision of public art / high quality environmental or landscape feature.

In summary, the Planning Authority is satisfied that the applicant has adequately addressed Item 2 of the Further Information Request.

Item 3:

Residential Amenity

The applicant is requested to provide a plan indicating the distance of the site and buildings from the nearby residential properties and set out details of any impacts, including daylight and sunlight, if necessary. It is noted that existing tree cover between the proposal and the boundary and the adjacent residential properties will remain, however, it is unclear whether the trees are within the applicant's control. The applicant is requested to consider if further planting is necessary along the southeastern boundary.

Applicant's response:

PBA have responded as follows – “Please refer to the amended Proposed Site Plan (drawing 20187-P100), which indicates the distance between the site and buildings and the nearby residential properties. As shown on the drawing, the building is more than 36 metres from the closest point of the side elevation of the adjacent residential property—a substantial distance that minimises any visual and shading impact. The building will be positioned to the west of these residential properties, meaning that any shadow cast towards the houses or their gardens would only occur in the very late afternoon or evening.

As noted in the additional information request, a line of tall evergreen trees currently exists between the proposed building and the neighbouring houses. These trees fall within the applicant's site and are to be retained. According to a commissioned survey, the top level of most of these trees is approximately 130.400 metres (with some taller), which aligns with the proposed height of the building. The rooftop plant structures and part of the central parapet exceed this height, but these are set back from the east of the site, ensuring they have no impact on daylight or sunlight availability.

With these trees remaining in place, we conclude that the proposed development will have no impact on the adjoining properties, as the existing trees provide an effective visual buffer.

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Furthermore, the development would not worsen any shading currently provided by the trees to the existing houses. To support this conclusion, see below a CGI visualisation demonstrating that the building is not visible from the existing houses, confirming that will have no visual impact on neighbouring properties as it would not be visible)".

Planner's Assessment:

The information submitted confirms that the impact on the adjacent residential properties is acceptable.

In summary, the Planning Authority is satisfied that the applicant has adequately addressed Item 3 of the Further Information Request.

Item 4:

Roads

- 1. To support smarter travel objectives the applicant is requested to (a) re-site the proposed bicycle parking so that covered bicycle parking lies directly northwest of the main building entrance in lieu of some proposed car parking spaces and (b) designate a location close to the main building entrance that would be demonstrably suitable for use as a bus stop (should the NTA deem the provision of same suitable in the future).*
- 1. The applicant is requested to provide a full Traffic and Transport Assessment to include the effects of the proposed development at the Garter Lane/Mill Lane junction.*
- 2. The applicant is requested to submit a Stage 1 & 2 Road Safety Audit.*
- 3. The applicant is requested to reduce the parking ration to between 0.63 and 0.7, providing between 100 and 110 parking spaces. The applicant is requested to provide a drawing of not less than 1:200 scale showing revised parking layout for a reduced number of cars. Other items included this further information request may have knock-ons to the response to this item.*
- 4. The proposed development should make provision for the charging of electric vehicles. 100% of spaces must be provided with electrical ducting and termination points to allow for the provision of future charging points, and 20% of surface car parking spaces must be provided with electric vehicle charging points initially. The applicant is requested to provide details of how it is proposed to comply with these requirements including details of the design of, and signage for, the electric charging points (where they are not in areas to be taken in charge). 5% of car parking spaces should be allocated for mobility impaired users.*
- 5. The applicant is requested to provide a drawing of not less than 1: 200 scale showing all pedestrian walkways to be a minimum of 2m wide.*

Applicant's response:

- 1. (a)The largest bicycle parking area will be positioned near the entrance to the site, to the west of the main access, as requested by the planning authority. This area will be covered and will accommodate 42 bicycles, including two cargo bikes, ensuring high visibility and easy access for visitors and short-term parking. In addition, other bicycle parking*

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areas will be located towards the east of the site, in front of the building, providing further options for cyclists. The long-term bicycle parking area, situated further from the main entrance, is positioned away from general public access. This area prioritises the security and preservation of bicycles. All bicycle parking facilities will feature Sheffield Cycle Stands, providing secure and organised storage solutions that support sustainable transportation practices throughout the site.

(b) Please refer to the revised Site Layout Plan, which indicates a location for a bus to stop to the right of the set down area to the front of the building. This location ensures the designated set down area will remain free of buses.

- 1. Please see the BMCE Traffic & Transport Assessment (TTA) attached, which assesses all junctions recommended by SDCC.*
- 2. A Road Safety Audit (RSA) was carried out and the recommendations of the audit have been incorporated into the final Site Layout Plan. Please refer to the enclosed RSA for details.*
- 3. The car parking provision has been reduced and a total of 130 car parking spaces are now proposed. The HSE asks the Planning Authority to note that the proposed PCC will be a hub for the provision of services in the community throughout the Catchment Area as a public service akin to that provided by a local authority except in the medical arena, requiring many staff to base themselves in the Centre but then visit patients in their homes every day. Therefore, adequate parking for external staff and those making essential visits to the CPCC is required. Please refer to the HSE letter enclosed. It is submitted that the proposed reduction in car parking is appropriate and has addressed all other concerns relating to the layout, location of landscaping areas and increasing the green space factor of the site.*
- 4. BMCE have responded as follows - It is proposed to provide electrical ducting and termination points to all car parking spaces to allow for the provision of future charging points. 20% of surface car parking spaces will be provided with electrical vehicle charging points. Please refer to drawing CWPCCBMCE- ZZ-XX-DR-CE-11320. Electric charging points and signage will be in accordance with ZEV1 Electric Vehicle Charging Infrastructure Universal Design Guidelines June 2023. Please refer to drawing CWPCCBMCE- ZZ-XX-DR-CE-11320. 5% of car parking spaces will be allocated for mobility impaired users.*
- 5. Please refer to the PBA drawing "P111 – Proposed Site plan" for information on all walkways proposed.*

Planner's Assessment:

The Roads Department has made the following comments with regards to the submitted information:

1. (a) The applicant in their submission has provided 42no. covered bicycle parking spaces adjacent to the proposed PCC block. This satisfies the detail required in the requested information.
(b) The applicant has detailed a proposed location for the provision of a Bus Stop adjacent to the PCC block. This satisfies the detail required in the requested information.

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1. The Applicant does not appear to have submitted a Transport Assessment to include the effects of the proposed development on the Garter Lane/Mill Lane junction. Prior to commencement, the applicant shall submit a Transport Assessment regarding the effects of the proposed development on the Garter Lane/Mill Lane junction.
2. The applicant has submitted a combined stage 1 and 2 Safety Audit report. It details 9no. problems which are labelled, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, and 3.9. The recommendation for these 9no. problems to be implemented in full by applicant in the proposed scheme.
3. Zone 2: County Development Parking Allocations: Maximum.

Development type	Area / units	Car parking standards	Parking required (Maximum)
Clinics and Group Practices	98 No. consulting rooms	1.5 per consulting room (147)	147 + 4 + 8 = 159
	104m ² Commercial (pharmacy)	1 per 25m ² (4)	
	628m ² Admin Offices	1 per 75m ² (8)	
		Bike parking standards SS – short Stay; LS – long stay	Parking required
Clinics and Group Practices	150 No. staff on-site	LS - 1 per 5 staff (30)	30 + 49 + 2 + 3 + 3 = 87
	98 No. consulting rooms	SS - 0.5 per consulting room (49)	
	104m ² Commercial (pharmacy)	LS - included in staff above	
	628m ² Admin Offices	SS - 1 per 50m ² (2)	33 LS + 54 SS
		LS - 1 per 200m ² (3)	
	SS - 1 per 200m ² (3)		

Table 4-1: Parking required under South Dublin Development Plan Standards for proposed developer

The maximum provision in accordance with the SDCC County Development Plan for this zone is 159 spaces. The roads section has requested that this figure is reduced to between 0.63 and 0.7 of the maximum allowable parking.

These parking ratios have been well established for the Saggart area for many other recently granted planning permissions.

If we take 0.7 of the maximum figure as the reduction, then the allowable car parking should not exceed 110 no. car parking spaces.

SDCC must insist on this car parking provision for the proposed development. To support this car parking provision, the mobility management plan should be revised to reflect a more sustainable travel mode share for the development. This will involve restating a lower car use mode share, along with higher, public transport and active travel mode share. This will form the basis of our roads condition. It is also noted that the public transport accessibility of the subject site is an important element in the rationale

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for materially contravening the CDP zoning objective and that a reduced car parking ratio is wholly appropriate in this context.

4. The applicant has detailed 26no. Electric vehicle spaces in the proposed layout. This exceeds the minimum 20% required EV spaces. This is satisfactory to the Roads section.

100% of the parking spaces should still be ducted for future EV connection provision.

EV signage identifying and locating the EV charging spaces should be erected which complies with CE order PR/1077/24.

The applicant has provided sufficient mobility impaired car parking spaces at the proposed development.

5. The applicant has submitted a drawing 20187-P111-Revision E showing pedestrian routes which are 2m wide serving the proposed primary care centre. However, there appears to be a lack of permeability towards the north-east from the proposed development. This route being the most direct route to the bus services and the Luas station. The Roads Department has recommended the following conditions in the event of grant.

1. *Prior to commencement, the applicant shall submit a drawing showing a pedestrian /cycle link from the Primary Care Centre to the north-east boundary of the development. This sustainable travel link to the existing cycleway/footpath and will provide a more direct route to the Bus stops on Garter Lane and Luas station.*
2. *Prior to commencement, the applicant shall submit a revised car parking layout showing a maximum of 110no. car parking spaces.*
3. *Prior to commencement, the applicant shall submit a revised mobility management plan showing revised travel mode share percentages for car usage, pedestrian usage and cycling usage at the proposed development as result of the lower car parking numbers granted.*
4. *Prior to commencement, the applicant shall submit a Transport Assessment considering the effects of the proposed development on the Garter Lane/Mill Lane junction.*
5. *The turning head for deliveries, set down and refuse trucks shall be sufficiently signed and road marked to prevent illegal parking at this location.*
6. *EV signage identifying and locating the EV charging spaces shall be erected which complies with SDCC CE order PR/1077/24”.*

It is considered that the above **conditions** should be attached to any grant of planning permission.

In summary, the Planning Authority is satisfied that the applicant has adequately addressed Item 4 of the Further Information Request.

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Item 5:

Water Services.

- (a) The applicant is requested to provide revised details that indicate surface water is directed from roads above ground onto green spaces and not piped underground.*
- (a) The applicant is requested to provide revised details that indicate road gullies have been minimised where possible. Where road gullies are used, it should be ensured that same do not divert surface water away from tree pits.*
- (b) The applicant is requested to indicate that there is a minimum 10m setback distance from any watercourse or pond. It appears the discharge of surface water to the pond is proposed, inclusion of the pond within the red line boundary of the site and readvertisement of the proposals with an enlarged site boundary is required if this is being relied on for surface water management in response to this further information request.*
- (c) The applicant is requested to indicate compliance with South Dublin County Council (SDCC) SuDS Guide which is available online at Sustainable Drainage Systems SDCC and where appropriate revise proposals so they comply with same.*

Applicant's response:

- a. BMCE have responded as follows - All surface water flows from roads and hardstanding areas are directed above ground to permeable paved areas and green spaces. Overflow pipes from the permeable paving and bioretention areas/tree pits will convey flows to a detention basin to the south of the site. The proposed levels of the development are graded so that all overland flows will be directed towards the detention basin to the south of the site. No road gullies have been proposed for site ensuring that no surface water runoff will enter the pipe network without first passing through one of the SuDs measures proposed.*
- a. BMCE have responded as follows - No road gullies have been proposed. All surface water flows from roads and hardstanding areas are directed above ground to permeable paved areas and bioretention areas/tree pits ensuring that no surface water runoff will enter the pipe network without first passing through one of the SuDs measures proposed. Overflowpipes from the permeable paving and bioretention areas/tree pits will convey flows to a detention basin to the south of the site.*
- b. BMCE have responded as follows - The layout has been revised to ensure a 10m set-back distance from all watercourses and ponds. Please refer to drawing CWPCC-BMCEZZ-XX-DR-CE-11201. The pond is not being relied on for surface water management and is therefore, not required to be included within the redline boundary of the site. All flows from the site will be conveyed towards the detention basin to the south of the site which has sufficient capacity to accommodate flows for the 1 in 100 yr storm event including a 20% increase for climate change and a 10% increase for urban creep. As the detention basin fills, flows will be discharged to the existing pond at a controlled rate via a hydrobrake.*
- c. BMCE have responded as follows - Within SDCC's "Sustainable Drainage Explanatory Design & Evaluation Guide", section 7.4.7 deals with how to manage pollution for different hazard levels. This development would be categorised somewhere between LOW*

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(low use car parks (school and offices) and MEDIUM (busy car parks). The SuDS components required for a LOW hazard level, Permeable pavement or source control with one SuDS component. For a MEDIUM hazard level, Permeable pavement or source control with one or two further SuDS components. This section does however go on to say "Additional levels of treatment may be required where surface water discharges to protected waters or areas of environment sensitivity."

With the above in mind, all surface water falling on hard surfaces on the site will have an initial treatment of one form or another. These are described below:

- *All parking spaces will be permeable paving, with tree pits located between spaces.*
- *Roads will be constructed of permeable asphalt. Additionally, site levels will direct surface water towards permeable paving, tree pits or bioretention areas.*
- *All runoff from the footpaths will discharge into planted areas, tree pits or adjacent permeable paving.*
- *Rainfall on the roof will be treated via green roof on 70% of the roof.*
- *All runoff from the impermeable section of the roof will be treated via a swale at the rear of the building.*
- *Following all of the above source control devices, all runoff from these will discharge into a large detention basin.*
- *Where runoff from rainfall events fill the detention basin, final discharge of the filtered rainwater from the site will be via a flow control device from the detention basin into an existing pond within the golf course.*
- *The current condition of stormwater runoff is as follows: -*
 - o *The surface of the carpark is compacted gravel.*
 - o *There are no gullies in this area. During heavy rainfall events, overland flow directs the runoff towards the existing pond directly to the northwest of the subject site*

The proposed development has a considered and comprehensive SuDS strategy which has a minimum of 2 levels of treatment for all rainwater runoff in accordance with SDCC - Sustainable Drainage Explanatory Design & Evaluation Guide. With this in mind, the rainwater discharge from this site will be of suitable quality to discharge into the pond and will in fact be an improvement from the quality of water currently being discharged from the site.

Planner's Assessment:

The Water Services Department has raised no objections to the proposal, subject to conditions. The report states:

"Surface Water Report: *No Objection Subject To:*

1. *Overflow pipe in tree pits should be designed as per SuDS (Sustainable Drainage Systems) guide (150mm above surface level of tree pit). Swales should not have grills at base of swales. Instead grills or outlet erosion baskets should be on the slope of swales as shown in the SDCC SuDS Guide.*

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1. *Prior to commencement of development submit a revised drawing in plan and cross sectional view showing design of swales and tree pits.*
2. *Direct surface water from roads above ground onto green spaces instead of being piped underground.*
3. *Minimise road gullies where possible. Where road gullies are used ensure that same do not divert surface water away from tree pits.*
4. *There shall be a minimum 10m setback distance from any watercourse or pond.*
5. *Comply with South Dublin County Council (SDCC) SuDS Guide which is available online at Sustainable Drainage Systems SDCC*

Flood Risk:

No Objection Subject To:

1. *All works shall comply with the Greater Dublin Regional Code of Practice for Drainage Works.*
2. *Surface water and foul water systems shall be separated”.*

It is considered that the above **conditions** should be attached to any grant of planning permission.

In summary, the Planning Authority is satisfied that the applicant has adequately addressed Item 5 of the Further Information Request.

Item 6:

Heritage

- a. *Additional information is requested in the form of a detailed bat activity survey. This is required to be undertaken at the appropriate season and under appropriate weather conditions for the determination of feeding and commuting activities. The survey is to determine bat foraging activity levels and the main commuting routes in the vicinity on the proposed development, so that a fair assessment of potential impact on the green infrastructure currently being availed of by bats in the area can be evaluated, and appropriate mitigation proposed where required.*
- a. *There is a lack of clarity regarding the potential impact of proposed surface water discharge to the adjacent pond system. Conclusions in the ecological report regarding potential impact during construction and post construction appear contradictory, and it is unclear if these conclusions correlate correctly to proposals in the water drainage proposals. Given the potential for frogs and newts (protected species) to be present in the receiving wetland habitats, clarification is required to ensure that no deterioration of water quality would result. A reassessment and redesign of the SuDS measures as currently proposed would assist, to avail more from the principle of on-site filtration and cleansing of water through the use of more tree pits and rain gardens, rather than the delivery of collected rainwater from the currently designed SuDS system to the pond wetland. The applicant is requested to clarify proposals in relation to the management of surface water, in particular to address apparent contradictions regarding potential impacts on the receiving pond arising from the currently proposed*

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use of SuDS measures. Please address the foregoing item, including by way of revisions.

Applicant's response:

- a. *Panther Ecology Limited commissioned Gannon and Associates to conduct a site-specific bat survey, which was carried out in the week of 23rd Sept 2024. Please refer to the attached Gannon Bat Survey Report. The survey outcome is that no bat roosts were found and proposed works will not lead to loss of any existing bat roosts. Moderate foraging activity was detected but the proposed development will not result in the loss of existing foraging habitat.*

This survey and analysis is in addition to information already supplied in the original report. The analysis is not dissimilar to that found in respect of other proposed developments within the greater Citywest Campus, including the Cemetery Application (SD22A/0475, ABP 317989) and the Solar Farm application (SD23A/0100), which both conducted surveys around the campus.

- a. *The response from Panther Ecology states:*

“Panther Ecology Ltd has been commissioned by the applicant to prepare an Appropriate Assessment Screening Report, a Construction Environmental Management Plan and an Ecological Impact Assessment regarding the construction of a Primary Health Care Centre at Citywest Campus, Saggart, Co. Dublin.

Ecological Impact Assessment

The EcIA report has been amended to clarify the potential impacts on water quality and protected species potentially using the pond habitats adjacent to the site during the construction and operational phases. The amendments to the proposed surface water drainage plans and SuDS strategy have been considered when assessing the potential impacts. Additional water quality mitigation measures have been included to prevent any deterioration in water quality within the pond that could have an impact on any protected species using it.

Construction Environmental Management Plan

The CEMP included standard mitigation measures to protect the water quality of the pond to the west and the Camac River due to a deterioration in water quality during the construction phase.

During the construction phase of the development, minor in-stream works will be required within an existing pond onsite as part of the surface water drainage network. These works will include the installation of a headwall. The potential for any impact from the proposed development to occur regarding a deterioration in water quality would be limited to this pond to the west during the construction phase. The pond could offer suitable habitat for protected species such as Common Frogs, Newts, Otter and Water Birds.

Mitigation measures included within the CEMP will be implemented along with the additional measures within the EcIA to address the potential ecological impacts arising from construction works taking place in the pond.

Additional mitigation measures have also been included within the EcIA to protect water quality within the adjacent pond to the north during the construction phase, including a

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buffer zone of 10m where no construction works will take place. Additionally, during the construction works all surface water runoff from the site will pass through a filtration system on site and discharged to the foul network under licence from Irish Water. This will greatly reduce the potential for surface water runoff from the site into the adjacent ponds during the construction phase”.

Planner's Assessment:

- a. A verbal report has been received from the Heritage Officer. It was noted by the Heritage Officer that the bat survey indicates activity on the south west, southern and southern east boundaries of the site and a condition has been recommended to restrict additional light along the bat activity zone. A condition has also been recommended to secure additional planting along the southern boundary of the site
- a. The SuDS measures set out are noted by the Planning Authority. A condition is recommended in the event of grant to secure a construction management plan to include measures to protect the pond.

In summary, the Planning Authority is satisfied that the applicant has adequately addressed Item 6 of the Further Information Request.

Item 7:

Parks.

- a. *The applicant is requested to provide a revised SuDS strategy. Much greater use of green space for SUDS is required. Flows should be directed so soft landscaped areas and kept on surface where possible or into an extensive interconnected tree pit network. Much greater use of tree pits is also required to offset the loss of trees on site.*
- b. *The applicant is requested to submit a Green Space Factor score. For lands zoned OS, a minimum score of 0.7 should be achieved.*
Revisions to address items (a) and (b) above may have significant knock-ons to other elements of the proposals

Applicant's response:

- a. *BMCE have responded as follows - The revised layout indicates a significant reduction in hardstanding impermeable areas and the introduction of more nature based sustainable urban drainage systems (SuDs) such as bio retention areas, bio retention tree pits, permeable paving and permeable asphalt roads. Please see attached revised drawing CWPCC-BMCEZZ-XX-DR-CE-11205.*
- a. *BMCE have responded as follows – Please see Green Space Factor (GSF) score calculation attached. The GSF score achieved for the new layout for the development is 0.46. The nature of the development type means a large parking area is required to facilitate patient access to the proposed Primary Care Centre (PCC). It is also necessary to provide sufficient DAC compliant access paths and hardstanding areas to facilitate the operation of the PCC.*

However, where possible a considerate effort has been made to implement all of SDCC's Green infrastructure policies which are relevant to the site, in order to maximise the green infrastructure value of the design. Impermeable hardstanding areas have been

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removed where possible and permeable paving and permeable asphalt roads have been provided instead. Additionally, more bio retention areas and tree pits have been provided throughout the development.

In reference to SDCC's Development plan 2022-2028 'where a proposed development does not meet the minimum required score and the Council agree that the minimum score is not achievable on the site; the Council will engage with the applicant to help determine an alternative GI solution, to ensure that the proposed development does not detract from the local environment and makes a positive contribution to local GI provision. Where site specific constraints do not allow for adequate landscaping features in line with minimum requirements (for example, for infill development or certain brownfield sites) a developer will be permitted to provide alternative GI interventions or contributions to make up for this shortcoming'.

A significant portion of the existing site is brownfield. Therefore, with the introduction of the proposed SuDS measures, the proposed development will offer a significant benefit in terms of the quality and quantity of surface water runoff from the site and considerably reduce the flood risk downstream".

SCA Planning Context Response:

It is noted that the Green Space Factor for land zoned OS is set on the basis that the land will be used as Open Space, primarily for parkland passive and sport-based, active recreation. The application is being assessed and considered by SDCC as a Material Contravention proposal for a development of the scale and nature not anticipated in the land use zoning matrix. Logically, several aspects and standards of the SDCCDP will be possibly impinged by the decision in principle to allow a particular type of non-anticipated proposed development. The Courts acknowledge in the judgements on JRs that material contravention can relate to standards and objectives as well as zoning in principle, so the decision of the Council in a reserved function deals with all aspects of the planning application as a Material Contravention of the SCDDP.

The Planning Officer's Report indicated as follows: -

Planning application decisions are generally plan-led. The permitting of a new use to a land parcel, which is explicitly not permitted under the land use objectives of its statutory Development Plan amounts to a material contravention of the Plan. The Planning and Development Act 2000 (as amended) gives the Planning Authority powers to support an application that materially contravenes the development plan in exceptional circumstances. For example, where the Planning Authority deems a project to be of such a scale/strategic importance warranting a decision that contravenes the plan. There is no statutory definition as to what constitutes 'exceptional circumstances.' Exceptional circumstances are something that can only be considered on a case-by-case basis and something that can only be achieved through detailed evidence provided by the applicant relevant to the circumstances of that particular proposal. The determination of planning applications is generally an executive function. However, where the executive recommends that a material contravention of a County Development Plan be granted permission, the matter goes before the Council for determination as a reserved function".

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Planner's Assessment:

The Parks and Public Realm Department and the Water Services Department have raised no objections to the proposed SuDS. The Water Services Department has recommended **conditions** regarding SuDS, as discussed above. In terms of the Green Space Factor (GSF), the Parks and Public Realm Department has recommended the following **condition**:

Green Space Factor (GSF) additional interventions

The applicant has not achieved the appropriate Green Space Factor of 0.7 for the site. Prior to the commencement of development, the Applicant shall liaise with the Public Realm department (icolleran@sdublincoco.ie) to determine what additional GI interventions can be provided. Following this and prior to the commencement of development, the applicant shall submit these details for the written agreement of the Planning Authority.

It is noted that Section 12.4.2 of the CDP sets out that there may be instances where the minimum score is not achievable, as well as a mechanism for approaching such instances. It is considered the condition proposed by the Parks and Public Realm Department address the requirements of Section 12.4.2 and, therefore the proposal is in keeping with the provisions of the CDP in this regard.

It is considered that the above **condition** should be attached to any grant of planning permission.

In summary, the Planning Authority is satisfied that the applicant has adequately addressed Item 7 of the Further Information Request.

Other Matters

Material Contravention

The applicant's agent states in their cover letter:

"It is requested that the proposed development be supported by the Executive decision, as representing the best endeavours of the applicant in the context of delivering this Primary Care Centres as part of the Government's Slaintecare programme to deliver healthcare in the community so as to relieve pressure on the nation's hospital infrastructure and services. It is submitted that a comprehensive response has been provided to each of the above requests. It is therefore requested that a decision be made to grant permission and that the process be progressed to the Elected Members to allow permission to be granted with the attachment of appropriate conditions".

The Planning and Development Act 2000 (as amended) gives the Planning Authority powers to support an application that materially contravenes the development plan in exceptional circumstances. Given that nature of the proposed use as a Primary Health Care Centre (with offices), as well as the lack of available sites of a suitable zoning, the Planning Authority is of the opinion that in this instance, the applicant has demonstrated that such exceptional circumstances exist to materially contravene the zoning objective 'OS' for both the Primary Health Care Centre, and the associated offices to support this proposal.

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Developer Contributions

Primary Health Care Centres – 7,760.9sq.m GFA. 7,626.1sq.m excluding plant.

Development Contributions

Planning Reference Number	SD24A/0187W
Summary of permission granted:	Primary Health Care Centre
Are any exemptions applicable?	No
If yes, please specify:	
Is development commercial or residential?	Commercial
Standard rate applicable to development:	119.52
% reduction to rate, if applicable (0% if N/A)	0
Rate applicable	119.52
Area of Development (m2)	7626.1
Amount of Floor area, if any, exempt (m2)	0
Total area to which development contribution applies (m2)	7626.1
Vehicle display areas/ Open storage spaces	0
Rate applicable	€11.95
Contribution	€0.00
Total development contribution due	€911,471.47

SEA monitoring

Building Use Type Proposed: Primary Health Care Centre

Floor Area: 7,760.9sq.m

Land Type: Greenfield / Brownfield

Site Area: 1.66 Hectares. **Conclusion**

Following the assessment of the submitted proposals including additional information received on 22/11/2024, it is concluded (Executive) that subject to the schedule of conditions as set out below, the proposals are consistent with the proper planning and sustainable development of the area notwithstanding the material contravention of Zoning Objective 'OS' 'To preserve and provide for open space and recreational amenities' of the CDP by the proposals at the subject site. In particular the proximity of the subject site to high-quality public transport and the significant quantum of new residential development in its vicinity is noted, as well as generalised support in the County Development Plan for community infrastructure provision including primary health care centres and the specific supporting justification on the appropriateness of this selected site over the others available within the catchment area. Having regard to the foregoing, it is recommended that in accordance with Section 34(6) of the Act that South Dublin County (Reserved) consider the proposed material contravention of the Zoning Objective 'OS'

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'To preserve and provide for open space and recreational amenities' of the CDP comprising the consideration of a decision to grant permission for the proposals at the subject site, subject to the appended conditions and notice of same be given and submissions or observations invited.

Material Contravention Addendum to Planning Report (SD24A/0187W)

Following the foregoing assessment, conclusion and recommendation, a decision was made to initiate a Material Contravention Process on December 12, 2024. Public Notice of same was published on December 13, 2024 in the Irish Times. Third-parties, prescribed bodies and elected members were notified and submissions were invited until January 20, 2025. 1 no. submission was received which is summarised below and responded to below:

Summary of 1 no. Third-Party Submission: The wording of the material contravention is misleading and does not reflect actual proposal, as the HSE is to be a leaseholder only and a private company will be free to sell the building/lands with a residential zoning. Query on whether the access road will remain private. Concern about the precedence of a material contravention for Citywest land. Developer intends to carry out significant additional development on Citywest lands. Planning permissions for solar farm and graveyard at Citywest lands referenced. Concern in relation to the reduction in the amount of green space currently available at the Citywest Campus, key stepping stone in the 2022-28 green infrastructure plan. Consider that in the interest of transparency and good planning, a master-planning exercise of the entire landholding should be discussed and voted on.

CE Response to Submission: Noted in full. More particularly, it is noted from the planning application documents that the HSE is not the developer or the landholder but will be the principal end-user by leasehold. Only the specific proposals to this application can be considered as part of this process. The subject site comprises a former coach parking area and green infrastructure has been optimised to site. If permission is granted, the site shall remain zoned Open Space but the proposed specific development with primary healthcare use would be permitted to proceed. The access road is to remain in private ownership. Concern regarding precedence of this Material Contravention process is noted. However, the process is rarely initiated, with this being the first instance under the current County Development Plan 2022-2028. While it is acknowledged that these proposals are not plan-led by reason of zoning, the proposals are considered in accordance with the principles of good planning. Importantly, aside from the matter of zoning, the proposals are otherwise in compliance with the County Development Plan 2022-2028, as well as relevant policies/objectives of the Government/Minister and the Regional Spatial and Economic Strategy (EMRA 2019). The administration of these proposals is considered transparent with the related planning report being made available during the Material Contravention public consultation process, with a determination to take place at a Council Meeting (public) and in accordance with the process as set out to Planning and Development Act 2000 (as amended).

Recommendation: No recommended changes following the consideration of the foregoing submission. Proposals, as well as the foregoing Planning Report will be considered by the Council at the February Meeting pursuant to Section 34(6) of the Planning and Development Act 2000 (as amended), **wherein by resolution South Dublin County Council intends to consider deciding to grant permission subject to conditions (as above) and in material contravention of the Land Use Zoning Objective for Open Space, which relates to the subject site: *To preserve and provide for open space and recreational amenities***

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Proposed Conditions and Reasons, should permission for proposed development be granted

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 22.11.2024, 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. Roads.
Unless otherwise agreed and prior to commencement of development the developer shall submit the following for written agreement of the Planning Authority (Roads) and thereafter implement the proposals in accordance with the agreed details:
 - a. The applicant shall submit a drawing showing a pedestrian /cycle link from the Primary Care Centre to the north-east boundary of the development. This sustainable travel link to the existing cycleway/footpath and will provide a more direct route to the Bus stops on Garter Lane and Luas station.
 - b. The applicant shall submit a revised car parking layout showing a maximum of 110no. car parking spaces. Any areas that were formerly car parking shall be used for soft landscaping or nature-based SUDs measures to increase the GSF score.
 - c. The applicant shall submit a revised mobility management plan showing revised travel mode share percentages for car usage, pedestrian usage and cycling usage at the proposed development as result of the lower car parking numbers granted.
 - d. Prior to the commencement of development, the applicant shall submit a Transport Assessment considering the effects of the proposed development on the Garter Lane/Mill Lane junction.
 - e. The turning head for deliveries, set down and refuse trucks shall be sufficiently signed and road marked to prevent illegal parking at this location.
 - f. EV signage identifying and locating the EV charging spaces shall be erected which complies with SDCC CE order PR/1077/24.REASON: In the interests of road safety and sustainable transport.
3. Materials.
Prior to the commencement of development, the applicant shall submit a full Schedule of materials and finishes for the written agreement of the Planning Authority and the Architectural Conservation Officer and thereafter implement the proposals in accordance with the agreed details
Reason: To ensure that materials and finishes are of high quality and achieve the appropriate design and colour palette within the site context and in close proximity to the Saggart Village.

4. Water Services.

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- a. Overflow pipe in tree pits should be designed as per SuDS (Sustainable Drainage Systems) guide (150mm above surface level of tree pit). Swales should not have grills at base of swales. Instead grills or outlet erosion baskets should be on the slope of swales as shown in the SDCC SuDS Guide.
- b. Prior to commencement of development, the applicant shall submit a revised drawing in plan and cross sectional view showing design of swales and tree pits for the written agreement of the Planning Authority (Water Services) and for implementation following agreement
- c. Direct surface water from roads above ground onto green spaces instead of being piped underground.
- d. The applicant shall minimise road gullies where possible. Where road gullies are used, the applicant shall ensure that same do not divert surface water away from tree pits.
- e. A minimum 10m setback distance from the nearby pond shall be maintained free from lights, seating or hardstanding.
- f. The applicant shall ensure compliance with the South Dublin County Council (SDCC) SuDS Guide.
- g. All works shall comply with the Greater Dublin Regional Code of Practice for Drainage Works.
- h. Surface water and foul water systems shall be separated.

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. 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.

6. Parks.

1. Green Space Factor (GSF) additional interventions

The applicant has not achieved the appropriate Green Space Factor of 0.7 for the site. Prior to the commencement of development, the Applicant shall liaise with the Public Realm department (lcolleran@sdublincoco.ie) to determine what additional GI interventions can be provided. It is noted the reduction in car parking by condition will provide opportunities to increase the GSF score. Following this and prior to the commencement of development, the applicant shall submit these details for the written agreement of the Planning Authority (Public Realm) and shall implement same following agreement

2. RETAIN QUALIFIED ARBORIST

The applicant shall engage an arborist to implement the recommendations of the Arboricultural Method Statement and Tree/hedgerow Protection Plan. Before commencing site works, the arborist must inform the Public Realm Section when tree protection measures are in place and schedule a meeting to demonstrate compliance with the plans. Post-construction, the arborist will conduct a survey and assessment of retained

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trees. A completion certificate, confirming adherence to the tree report's recommendations, must be signed by the arborist upon finishing permitted development works. This certificate shall be submitted to the Planning Authority (Public Realm Section) for approval.

REASON: In the interests of protecting and enhancing Green Infrastructure.

7. Ecology.

a. No further lighting shall be installed within the site boundary to the south (rear) elevation of the permitted building, without the written consent of the Planning Authority.

b. Unless otherwise agreed in writing, prior to the commencement of development the applicant, owner or developer shall submit revised plans that indicate additional planting along the southern boundary of the site. This additional planting shall be carried out in accordance with agreed details.

c. The mitigation measures to the submitted CEMP shall be implemented.

REASON: In the interests of protecting ecology.

8. Mitigation Measures.

All mitigation measures set out in the documentation submitted in support of the application (as amended by Further Information), including the Ecological Impact Assessment and Bat Survey, shall be implemented in full.

REASON: In the interest of the protection of the environment.

9. Amendments.

Unless otherwise agreed in writing, prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority:

Revised plans that incorporate all of the following amendments-

(a) Location of public art / high quality landscape feature. Following agreement of proposed location, the applicant shall submit the design for the written agreement of the Planning Authority (Arts Office). The feature shall be installed prior to the occupation of the Primary Health Care Centre.

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

10. Environmental Health.

• The Construction Environmental Management Plan is amended to include the following proposed hours of operation during the construction phase of the development. These include:

o Between 0700 and 1900 hours Monday to Friday only, and

o Between 0900 and 1300 hours on Saturdays only

o No works shall be carried out on Sundays or bank holidays.

• The main building contractor and any sub-contractors adheres and upholds the submitted Construction Environmental Management Plan. This documents how to

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avoid, minimise or mitigate against any potential noise nuisances to existing residential units in the immediate vicinity.

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.

- The main building contractor and any sub-contractors adheres and upholds the submitted Construction Environmental Management Plan. This documents how to avoid, minimise or mitigate against any air pollution from dust to existing residential units in the immediate vicinity.

Reason: In the interest of public health.

11. Archaeology.

1. The developer shall engage a suitably qualified archaeologist to monitor (licenced under the National Monuments Acts) all site clearance works, topsoil stripping, groundworks, and/or dredging associated with the development. The use of appropriate machinery to ensure the preservation and recording of any surviving archaeological remains shall be necessary.

2. Should archaeological remains be identified during the course of archaeological monitoring, all works shall cease in the area of archaeological interest pending a decision of the Planning Authority, in consultation with this Department, regarding appropriate mitigation [preservation in-situ/excavation].

3. The developer shall facilitate the archaeologist in recording any remains identified. Any further archaeological mitigation requirements specified by the Planning Authority, following consultation with this Department, shall be complied with by the developer.

4. Following the completion of all archaeological work on site and any necessary postexcavation specialist analysis, the Planning Authority and this Department shall be furnished with a final archaeological report describing the results of the monitoring and any subsequent required archaeological investigative work/excavation required. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation (either in situ or by record) of places, caves, sites, features or other objects of archaeological interest.

12. Signage Details.

Prior the commencement of development, the applicant/owner shall submit the following for the written agreement of the Planning Authority:

Full details of proposed signage to include signage lettering, logo dimensions, colours, materials, finishes and illumination type. Thereafter signage shall be provided in accordance with the agreed details.

REASON: In the interests of visual amenity and the proper planning and sustainable development of the area.

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13. Services to be Underground.

All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

REASON: In the interests of the visual amenities of the area, the proper planning and sustainable development of the area and compliance with the Council's Development Plan.

14. 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.

15. Construction Noise and Hours.

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

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

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- 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.

16. Further Development.

No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennae or equipment, unless authorised by a further grant of planning permission.

REASON: To protect the visual amenities of the area.

17. Storage.

No goods or waste products shall be placed or stored externally to the Primary Health Care Centre.

REASON: In the interest of the visual amenities of the area, public health, and to protect car parking.

18. Hours of Operation.

Prior to the commencement of development the applicant/developer shall submit, for the written agreement of the Planning Authority, the proposed opening hours for the Primary Health Care Centre.

REASON: In the interest of residential amenity, the protection of the environment, and the proper planning and sustainable development of the area.

19. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €911, 471.47 (nine hundred and eleven thousand four hundred and seventy one euro and forty seven cent), in respect of public infrastructure and facilities benefiting development within the area of the Planning Authority, that is provided, or intended to be provided by or on behalf of the authority, in accordance with the terms of the Development Contribution Scheme 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

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

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

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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.

20. Resource and Waste Management Plan

Prior to the commencement of development, the developer or any agent acting on its behalf shall prepare a Construction and Demolition Resource Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be submitted to the Planning Authority (Waste Regulation) and retained as part of the public record. The RWMP must be submitted to the Planning Authority (Waste Regulation) for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of proper planning and sustainable development.