



An
Bord
Pleanála

Board Order
PL 29N.248873

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 2797/17

Appeal by Cliona Collins of 251 Tonlegee Road, Dublin and by Michelle McGrory of 253 Tonlegee Road, Raheny, Dublin against the decision made on the 22nd day of June, 2017 by Dublin City Council to grant subject to conditions a permission to Woodbine Primary Care Limited PAMES Developments Limited of 60 Amiens Street, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Amendments to a previously approved scheme under planning register reference number 2865/12 (An Bord Pleanála appeal reference PL29N.241384) for development of a three storey healthcare facility extending to 2,634 square metres providing a primary care centre for the HSE, GP surgeries, retail space and refurbishment and extension of the existing Saint Monica's Youth Club, The Vicarage, Tonlegee Road, Dublin. The proposed amendments are as follows: relocation of the main entrance to the primary care centre from the east elevation to the north elevation on to Tonlegee Road (including associated elevational changes), reorganisation of the layouts at ground and first floor resulting in the change of use of 300 square metres of retail space and 101 square metres of GP surgery space to primary care use, change of use of 50 square metres of retail space to restaurant/coffee shop at ground floor fronting the Tonlegee Road (these proposed changes will result in a 22 square metres increase of the gross floor area of the building from 2,634 square metres to 2,656 square metres), realignment of the rear north/south orientated element of the building by 7.1 metres to the west, an

increase in the permitted parking provision from 61 number car spaces to 70 number, relocation of 10 square metres bin stores to a position adjacent to the main vehicular entrance on the Tonlegee Road, a reduction in the size of the permitted floodlit astroturf playing pitch by 188 square metres, provision of a hard surface games court of 257 square metres, all associated site works and an extension of three years to the current permission to facilitate completion.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2016-2022, to the pattern of development in the area, to the existing planning permission and the planning history for the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with Development Plan policy, would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 30th day of April, 2013 under An Bord Pleanála appeal reference number PL29N.241384, planning register reference number 2865/12, including those conditions relating to roads and parking (7), construction hours (8), archaeology (9), water and drainage (10), landscaping and boundary treatments (12) and lighting (14), and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The parent permission, An Bord Pleanála appeal reference number PL29N.241384 (planning register reference number 2865/12), shall be extended to the 30th day of April, 2021 at which time this planning permission and the parent permission shall expire.

Reason: To clarify the scope of the permission hereby granted.

4. The proposed development shall be amended as follows:
- (a) west-facing windows at the western end of the proposed development at first and second-floor levels associated with the physiotherapy treatment room (first floor) and the staff canteen (second floor), shall be fitted with either opaque glazing to at least 1.8 metres above finished-floor level or the cill levels to the said windows shall be raised to be at least 1.8 metres above their respective finished-floor levels; and
 - (b) the first and second floor windows on the eastern elevation of the southern wing of the proposed development, shall be fitted with either opaque glazing to be at least 1.8 metres above the finished floor level or the cill levels to the said windows shall be raised to be at least 1.8 metres above their respective finished-floor levels.

Revised plans showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the residential amenities of the area

5. The proposed café shall operate the following days and hours:
- between 0800 to 2100 hours, Monday to Friday inclusive,
- and 0900 to 1800 hours on Saturdays and Sundays.

Opening hours for the pharmacy and primary care centre shall be as per the parent permission (An Bord Pleanála appeal reference number PL29N.241384/planning register reference number 2865/12).

Reason: In the interest of clarity and to protect residential amenity.

6. Details of the materials, colours and textures of all the external finishes to the proposed development, including samples, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

7. (a) The proposed café and pharmacy units shall not be subdivided and/or amalgamated or changed into any other retail or retail services unit, without a prior grant of planning permission.

(b) The café shall not be used as a hot-food takeaway, without a prior grant of planning permission.

Reason: In the interest of clarity, to limit the use and extent of retail and retail service development and in the interests of the residential amenities of the area.

8. No advertisement or advertisement structure, other than those shown on the drawings lodged with the application, shall be erected or displayed on the building in such a manner as to be visible from outside the building, unless authorised by a further grant of planning permission.

Reason: In the interest of the visual amenities of the area.

