

An
Bord
Pleanála

Board Order
ABP-309238-21

Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20A/0054

Appeal by Valley Healthcare Fund care of Simon Clear and Associates of 3 Terenure Road West, Terenure, Dublin in relation to the application by South Dublin County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 6 of its decision made on the 14th day of December, 2020.

Proposed Development: Alterations to previously approved, but not yet constructed development under planning register reference SD11A/0135. In that permission, Block A was approved as a primary health care building and will remain so. Block B was approved as a nursing home building and permission is now sought to use that building as a primary health care use. Permission is also sought for an external café and relocation of sub-station from entrance area to a position on Fonthill Road. The alterations to Block A of 3,249 square metres consist of minor internal reconfiguration to stair number 1 cores, position of lift shafts and circulation area. Alterations to Block B of 3,521.51 square metres (previously approved use as a nursing home) to facilitate the use as a Primary Healthcare Centre include internal reconfiguration to provide 10 number consultation rooms; 37 number offices;

7 number clinic rooms; 4 number administration/reception; 4 number large group rooms and associated ancillary uses including a new external lift and stair to car park. A total of 149 number car parking spaces are to be provided for the proposed development. This includes 125 number spaces at basement level, including 6 number accessible car parking spaces and 24 number spaces at surface level including 3 number accessible car parking spaces. Alterations to the previously approved permission also include for 20 number new bicycle parking spaces, new plant space and storage. The previously approved entrance from Boot Road/Convent Road providing pedestrian, cycle and vehicular access including previously approved landscaping, remain as approved, all at Boot Road/Convent Road, Fonthill Road and Saint John's Road, Clondalkin, Dublin.

Decision

The Board, in accordance with section 48 of the Planning and Development Act, 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had been properly applied in respect of condition number 6 and directs the said Council to ATTACH condition number 6 and the reasons therefor.



Reasons and Considerations

The Board considers that although the proposed development is to be carried out by or on behalf of a voluntary organisation within the meaning of Article 157 (1) of the Planning and Development Regulations, 2001, as amended, by way of delivery of buildings and their future use for the healthcare needs of the local community by the Health Service Executive on a non-profit or gain basis. The applicant by reason of having entered into a lease agreement with the Health Service Executive, does not come within the meaning of a not for profit or gain organisation. It is, therefore, considered that the terms of the development contribution scheme were properly applied, and that condition number 6 should be attached in that the proposed development does not come within the exemptions provided for within section 11 of the South Dublin County Council Development Contribution Scheme 2021-2025.

Matters Considered

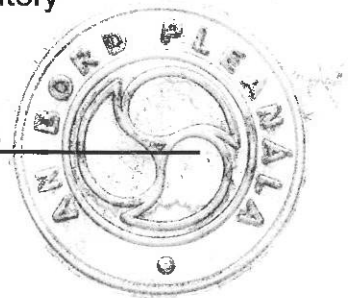
In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

DR. *Maria FitzGerald*

Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this *17th* day of *May* 2021.