

An Bord Pleanála



Inspector's Report

Appeal Reference No: PL29S.246503

Development: Permission sought for (i) change of use of an existing building (child psychology unit) to medical centres (154-sq.m with 3no. consulting rooms) and pharmacy (69-sq.); (ii) internal and external alterations to the building including refurbishment of the front / southern façade to provide two separate shopfronts with new windows, doors and stall risers; (iii) fascia level signage boards to front / south elevation; (iv) provision of 7no. onsite car parking spaces with vehicular access to be provided from existing access points on Ballyfermot Road (entry only) and Drumfinn (alterations to vehicular entrances, internal circulation and car parking to be delivered in conjunction with development proposed under a concurrent planning application reg.ref.3676/15); (v) hard and soft landscaping, SuDS drainage and all associated works.

Address: Former health centre site, Ballyfermot Road, Ballyfermot, Dublin 10

Planning Application

Planning Authority:	Dublin City Council
Planning Authority Reg. Ref.:	2223/16
Applicant:	Lean Pharmacy Ltd
Planning Authority Decision:	Grant permission subject to 10no. conditions

Planning Appeal

Appellant(s):	Sean Kiely
---------------	------------

Type of Appeal: Third party appeals against decision

Observers: None

Date of Site Inspection: 15/06/16

Inspector: John Desmond

1.0 SITE LOCATION AND DESCRIPTION

The application site is located the west of Dublin City Council, c.1.7km east of the M50, 1.4km north of the Grand Canal and c.400m west of the centre of Ballyfermot, on the north side of Ballyfermot Road, the R833. The surrounding area contains a wide range of land uses and land use zones, with extensive suburban residential housing. The site adjoins the Ballyfermot Community Civic Centre to the west.

The application site has a stated area of 4,264sq.m. It is the grounds of the former Eastern Health Board Clinic, which comprises a single storey building and two other ancillary single-storey buildings. The main building is of a design that I would date to the interwar period, with the detached structures to the west of the site of 1970's vintage. The application concerns the structure located at the southwest corner of the site (a separate application, subject of a concurrent appeal) has been made concerning the main building on site. The lands are enclosed by railings atop a stub wall to the north, east and south where they abut the public road (Drumfinn Avenue to the north, Drumfinn Road to the east and Ballyfermot Road to the south). The application site has vehicular access to the south and east, which it shares with the neighbouring site. There is an addition separate entrance to the rear of the wider landholding, but it is not accessible from the application site.

The nearest Natura 2000 sites, South Dublin Bay and River Tolka SPA (site ref.004024) and South Dublin Bay SAC (site ref.00210) are located c.9km to the east and the Glenasmole Valley SAC (site ref.001209) c.10km to the south.

2.0 PROPOSED DEVELOPMENT

2.1 The proposed development comprises:

- the change of use of an existing building (child psychology unit) to medical centres (154-sq.m with 3no. consulting rooms) and pharmacy (69-sq.);
- internal and external alterations to the building including refurbishment of the front / southern façade to provide two separate shopfronts with new windows, doors and stall risers;
- fascia level signage boards to front / south elevation;
- provision of 7no. onsite car parking spaces with vehicular access to be provided from existing access points on Ballyfermot Road (entry only) and Drumfinn (alterations to vehicular entrances, internal circulation and car parking to be delivered in conjunction with development proposed under a concurrent planning application reg.ref.3676/15);
- hard and soft landscaping, SuDS drainage and all associated works.

2.2.0 Supporting documentation:

2.2.1 Planning Report by Hughes Planning and Development Consultants – The main points may be summarised as follows:

- Consistent with Z4 zoning.
- Site is a 'Key District Centre'
- Longer terms plan for redevelopment of overall site (preliminary drawings attached), which is ultimately what the Council, through the zoning objective, seeks to achieve.
- Provision of 7no. spaces within the wider site in conjunction with the development proposals under reg.ref.3676/15.
- 8no. parking spaces are proposed.
- Deliveries will be facilitated within the site as demonstrated by autotrack drawing no.15146-PL-02
- No changes proposed to the boundary treatment other than repair and refurbishment as necessary.
- The internal low mesh fence separating the building from the main site will be removed and a new raised kerb provided, allowing convenient pedestrian access through the site.

3.0 RELEVANT PLANNING HISTORY.

On site (east of subject building)

PL29S.246470 / Reg.Ref.3676/15: Current third party **APPEAL AGAINST DECISION** of Dublin City Council to grant permission (06/04/16) for (i) change of use to mixed-use facility comprising retail (coffee shop and florist) and community / cultural / funeral services (class 2), (ii) part demolition (71-sq.m), (iii) construction of a single-storey flat roofed rear infill extension (269-sq.m) with 6no. roof lights, (iv) internal and external alterations, including refurbishment of front façade, comprising a featured main entrance centred on the front elevation, own door entrance to coffee shop, cut stone and timber shop front to coffee shop and florist, (v) fascia level signage boards to front and rear elevations, (vi) widening of 2no. existing vehicular entrances, (vii) provision of 22no. on-site car parking spaces including 4no. disable accessible spaces, (viii) hard and soft landscaping, and (ix) SuDS drainage and all associated works.

4.0 PLANNING AUTHORITY DECISION

On 06/04/16 the Council issued a decision to **GRANT** permission subject to 10no. conditions. Non-standard conditions:

Condition no.4 required, *inter alia*, the development to comply with the conditions of permission granted under reg.ref.3676/15, the submission of a

Traffic Management Plan for agreement stating how parking spaces will be continually managed to ensure rat-running and long term commuter car parking do not occur and for all servicing [of commercial units] to be from within the site, not the public road.

4.1 Planning and technical reports

Planning Officer– The report of 06/04/16 is generally consistent with the decision of the Planning Authority to **GRANT** permission subject to 10no. conditions and raised no particular issues of concern.

Drainage Division – The report of 09/03/16 raises no objection subject to standard conditions (attached as condition no.5 to the permission).

Roads & Traffic Division – The report of 04/04/16 considered that 8no. parking spaces were required based on development plan standards, 2no. each per consulting room and for the nurse’s room, with no parking required for the proposed pharmacy.

It noted that no alterations were proposed to the vehicular access / egress arrangement permitted under 3676/15, that cycle parking provision was acceptable and that servicing can occur within the site.

No objections subject to five conditions, including three non-standard conditions. The non-standard conditions related to requirement to comply with conditions attached to permission reg.ref.3676/15, the agreement of a traffic management plan and the servicing of the site internally.

4.2 Observations

One observation was received from Sean Kiely of Kiely’s Pharmacy, 203 Le Fanu Road, Ballyfermot, c/o Marston Planning Consultancy (16/03/16). The main grounds of objection are repeated and / or elaborated on in the grounds of appeal.

5.0 GROUNDS OF APPEAL

Sean Kiely of Kiely's Pharmacy, 203 Le Fanu Road, Ballyfermot, c/o Marston Planning Consultancy (27/04/16) - The grounds of appeal may be summarised as follows:

General

- The proposals fail to address the civic space and intended high quality of the public realm of Z4 land.
- The 7no. parking spaces to serve the development are within the adjacent site as part of a concurrent application which may not go ahead, calling into question the ability to provide parking for the development. The PA failed to adequately consider the implications of lack of dedicated car parking.
- Access to the proposed spaces from Ballyfermot Road will result in a traffic hazard and is in clear conflict with the concurrent application under reg.ref.3676/15.
- Lack of dedicated parking guaranteed for access for the subject proposal, and an overprovision of spaces within the adjacent site, which will all be used by the funeral home and associated uses, will result in a traffic hazard given the local road network context.
- The site (and the neighbouring community civic centre) is separate from the commercial core of Ballyfermot and has a longstanding function for community base activities.
- The proposal fails to address the function of Z4 lands to enhance the vitality of area.

Poor quality urban design

- makes no effort to positively contribute to the urban and civic design character contrary to the provisions of section 17.1.1 of the development plan for Z4 zoned lands.
- Creates no sense of space and is low standard.
- No connection between proposal and its civic setting and the plaza at the front will fall onto dead space, at odds with the principles of the Urban Design Manual and chapter 12 of the development plan.

Contrary to principles of Z4 zoning

- Fails to enhance the attractiveness of Z4 lands.
- The added access traffic will materially decrease pedestrian safety.
- Fenced off and gated development will not integrate or impact positively on the vitality of the area.

Access arrangements – traffic hazard

- Providing access arrangements over a neighbouring site over (reg.ref.3676/15 subject of concurrent appeal) which there is no control over its future uses is indicative of bad planning.
- Complicated arrangement and will result in traffic hazard.
- West bound access traffic on Ballyfermot Road will have to cross over the east-bound right-turning access lane to residences south of that road, causing conflicting vehicular movements and obstruction to either access, with potential for traffic queuing onto the yellow box junction to Drumfinn Road and therefore a traffic hazard.
- The potential traffic hazard is compound by the heavily trafficked thoroughfare, the community civic centre and access to a mix of uses, including schools and commercial uses.
- Potential traffic hazard will be compounded by the lack of control over access to the health centre site and over provision of parking spaces in the concurrent application (reg.ref.3767/15).
- The concurrent applicant did not include a Traffic Assessment of the cumulative impact of the concurrent development proposals.
- The Traffic Assessment with the concurrent applicant did not include any traffic surveys of the existing network and is based only on the funeral parlour and associated uses and the Board should consider its adequacy.
- Conflict will arise with large funerals in terms of overflow parking, requiring the introduction of parking restrictions and in terms of access to the 7no. spaces proposed for the subject pharmacy and medical centre development.

Inadequate car parking provision

- There are four consulting rooms requiring 8no. parking spaces.
- The Roads Department is incorrect – 1no. space is required for the proposed pharmacy with Area 3 of Map J.
- There is a high potential for the proposed parking within the site to be used by traffic unrelated to the development and uses on site.
- The level of parking proposed in the concurrent application is wholly inconsistent with the aim of the Council to engender and increase in public transport use and decrease reliance on private car and there is no justification for the overprovision under the development plan.
- Potential for future subdivision of the site with the medical centre and pharmacy separated from the proposed parking.

6.0 RESPONSES/OBSERVATIONS TO GROUNDS OF APPEAL

6.1 Planning Authority response

None received.

6.2 First Party response

Lean Pharmacy Ltd, C/o Hughes planning and Development Consultants (25/05/16) - The main points of the response submitted by may be summarised as follows:

Zoning

- Observations were fully considered by the Planning Authority.
- The further information response was formulated by the applicant following consultation with the Planning Authority.

Technical / procedural

- The application was accepted as valid by the Planning Authority and the notices were clear enough to alert third parties.
- The applicant has no difficulty with the publication of further public notices if deemed necessary by the Board.
- The notices clearly made reference to the widening of 2no. existing vehicular entrances.
- The revised notices at further information stage clearly stated the uses and it is clear from the RFI report that the applicant is seeking both Class 2 and Class 7 use.

Zoning

- The Planning Authority considered the proposed development reasonable and acceptable.
- The site and surrounding area is in urgent need of regeneration and the proposal results in the immediate improvement of the site and creation of employment in an area suffering from deprivation and high levels of unemployment.
- The site is entering a state of dereliction and dilapidation and is at risk of becoming a target for anti-social behaviour.
- Will create employment in the area.
- The proposed mixed use redevelopment and active use of the buildings on site in association with reg.ref.3676/15 to serve the needs of the community in place of a dilapidated structure is consistent with the proper planning and sustainable development of the area and the provisions of the Dublin City Development Plan 2011-2017 and will contribute to the achievement of the vision of the Council for the area.

- The proposal provides for the rejuvenation of the site in the short to medium term in advance of the longer term provision of a large scaled mixed-used development.
- The intensity of the proposed development has been accepted by the Planning Authority as in accordance with the development plan and zoning objective for the site.
- Complies with policies SC9-Sc12 for District Centres and KDCs.

Parking provision and traffic

- The proposed parking is within the application site outlined in red.
- The RTPD had no concerns over the location of the proposed parking, considered 7no. parking spaces acceptable and acknowledged the overall site is within the same ownership, that internal boundary would be removed to provide access to parking at all times and had no objection to dual use of parking space.
- Chapter 17 allows the authority to reduce the number of parking and to determine the appropriate level of parking at its discretion having regard to site location, accessibility and access to public transport.
- The RTDP had no objection, indicates that the proposed development does not constitute a traffic hazard and considered cycle parking and site service access to be acceptable.
- The proposed development is in line with the development plan's '*Proactive Car Parking Policy*' to discourage commuter parking while facilitating adequate parking for commercial uses.

Traffic

- A full and comprehensive Technical Note by Martin Peters Associates (MPA), Consulting Engineers, was produced as a traffic and transport assessment, submitted as further information to reg.ref.3676/15 following extensive consultation with the RTPD of Dublin City Council and was evaluated respective to the site by the RTPD who had no objection to the proposal.
- A physical barrier is proposed to be provide at the entrance on Drumfinn Road to prevent rat-running at AM and PM peak. There is no exit to Ballyfermot Road.
- The MPA report concluded the proposal would have not significant effects on the local road network and in particular on the signalised junction between Drumfinn Road and Ballyfermot Road.
- MPA submitted that the increased PM trip peaks will not result in increased queuing on Ballyfermot Road or Drumfinn Road and does not represent a material impact on the local road network.

- RTPD had no objection subject to conditions and the applicant will comply with same.
- The applicant will submit a Traffic Management Plan as required prior to the occupation of the development.
- Long term commuter parking will not occur as there will be parking and visitor management procedures in place for any prohibited parking not related to the proposed development as required by condition 4(b).
- The site is served by adequate public transport in the vicinity (bus nos.18, 40, 76, 76a, 79 and 79a) indicating there will be no major effect on traffic in the area and the site will benefit from the proposed Luas Line extension to Lucan via a Ballyfermot Station as proposed under the Dublin Transport Strategy 2016-2035.

Design quality

- The external alterations are not intrusive and are more aesthetically pleasing than that of the existing 1970's health centre.
- Disagrees with the appellant that the proposed development is contrary to the development plan, section 17.1.1 'Design', and enriches the urban qualities of the location and will encourage the long term outlook of Ballyfermot in establishing a viable community as set out in the development plan, chapter 4 'Shaping the City'.
- The façade treatment accords with policy SC28.
- Provides an overview of the long term plans for the site.

Other

- The Retail Planning Guidelines 2010 state '*it is not the purpose of the planning system to inhibit competition, preserving existing commercial interest or prevent innovation.*'

6.4 Observations on grounds of appeal

None received to date

7.0 POLICY CONTEXT

7.1 PLANS

Dublin City Development Plan 2011-2017

Land use zoning Z4: To provide for and improve mixed services facilities.
 KDC 5 – Ballyfermot is identified as a Key District Centre

Section 3.2.3 Settlement Strategy -

Section 3.2.7.1 Area-Specific Plans

Chapter 4 Shaping the City – section 4.4.2 Inner Suburbs and Outer City as Part of the Metropolitan Area; Section 4.4.2.1 Approach to the Inner Suburbs and Outer City: 1 Key District Centres (KDCs). Policies SC9-SC12.

Section 5.1.4.1 Integrated Land-use and Transportation

Section 17.1.1 Design

Section 17.40 Car Parking Standards

Table 17.1 Car Parking Standards for Various Land-uses.

7.2 OTHER REFERENCE DOCUMENTS

8.0 ASSESSMENT

I consider the main issues arising under the appeal can be addressed under the following headings:

1. Policy, proposed uses
2. Traffic and accessibility issues
3. Design, form and visual impact
4. Retail impact
5. Other issues
6. Appropriate Assessment

8.2.0 Policy, proposed uses and form of development

8.2.1 The site is zoned Z4 District Centres (incorporating key district centres) where it is the objective '*to provide for and improve mixed services facilities*' and is identified as a Key District Centre (5). I consider the proposed uses, including pharmacy (analogous to '*shops neighbourhood*') and medical centre (analogous to '*medical and related consultants*') to be permitted in principle within the Z4 land use zone.

8.2.2 I note the policies of the development plan pertaining to Key District Centres and other urban centres in the hierarchy (SC9-SC12) under section 4.4.2.1 and the Settlement Strategy under section 3.2.3 of the development plan. Whilst the development of the Key District Centres as strong urban hubs and sustainable anchors of the suburbs is clearly envisaged under the development plan, I do not consider the change of use of and relatively minor alterations to an existing building within a KDC, as is proposed in the application subject of the appeal, to be materially contrary to an objective of

the development plan. Were the site proposed to be redeveloped in its entirety, then planning considerations may be different.

8.3.0 Traffic

8.3.1 **Traffic generation** – The proposed development subject of this appeal is relatively minor, comprising medical centre use, is similar to that of the previous use as a health centre. However, the totality of the development proposed on this site, including the retail, funeral home and associated uses proposed under reg.ref.3676/15 subject of a concurrent appeal (PL29.246470), is not insubstantial. Whilst the applicant to reg.ref.3676/15 submitted a Traffic Assessment carried out by MPA Consulting Engineers, that assessment only took account of the traffic impact of the uses proposed under reg.ref.3676/15. The said TA concluded that no adverse traffic impact would occur and this was accepted by the Council's Road and Traffic Planning Division. Having regard to the details of the said Traffic Assessment, which I have considered in some detail under appeal PL29.246470, and having regard to no objection being raised by the Council's RTPD, I am satisfied that the proposed development is generally acceptable in terms of the quantity of traffic that would be generated and the pattern of same, subject to certain restrictions imposed by condition. The RTPD raised no concern regarding traffic impact on the application subject of this appeal, subject to compliance with the conditions attaching to reg.ref.3676/15 and a condition to this effect was attached to the Council's decision to grant under reg.ref.2223/16.

8.3.2 **Access and rat-running** – The applicant proposes that the entrance from Ballyfermot Road will be for access only and that the entrance from Drumfinn Road will accommodate access and egress movements. It is apparent from application reg.ref.3676/15 that this is considered necessary by the RTPD to prevent adverse impacts on the signalised junction between Ballyfermot Road and Drumfinn Road, however this is not addressed explicitly under this current application by either the applicant or the RTPD and I have significant reservations about the feasibility of this approach in relation to the operation of the pharmacy and medical centre in the context of the requirement to prevent rat-running through the site at certain times.

8.3.3 Under reg.ref.3676/15, the applicant proposes to install a traffic control barrier at the entrance to Drumfinn Road to operate at peak traffic times to prevent rat-running. This will mean that traffic that has entered the site from Ballyfermot Road will not be able to egress the site without someone opening the control barrier. There is no indication on either application as to how such

a system would operate; whether it would be manned or automatic or permanently closed for the duration.

8.3.4 For funeral or civil services traffic, where traffic generation will occur over discrete and predictable periods, it may not present too much of a difficulty as the operation of the barrier can be planned ahead of time. It would, however pose a significant problem for traffic departing from the medical centre or pharmacy, or from the café and retail uses within the wider development as such customer arrivals and departures will be occur on a random basis. Based on the information on file and on the concurrent appeal PL246470, I do not consider the implementation of a control barrier system to be practical, feasible or practically enforceable based on the proposed access and egress arrangements. In the absence of a feasible and effective system, traffic will be likely to exit onto Ballyfermot Road via the 'access only' entrance and will constitute a traffic hazard and the obstruction of road users.

8.3.5 Feasible alternative options include

- i) Permitting entrances to both Ballyfermot Road and Drumfinn Road to accommodate access and egress movements.
- ii) Prohibiting vehicular access to / from Ballyfermot Road by removing / blocking up the existing vehicular entrance thereto and providing only for pedestrian and vehicular access therefrom.

8.3.6 Both options may present some problems for the traffic network. The second option is likely to encourage uncontrolled parking (as currently occurs) and site servicing taking place within the paved pedestrian area located outside the site boundary along Ballyfermot Road. There will also be implications for the servicing of the units within the site with deliveries - the autotrack details are based on access from Ballyfermot Road and egress to Drumfinn Road. It is evident that the RTPD has been particularly concerned for the potential for service deliveries to take place on the public road. However, the issue of enforcing parking and delivery restrictions, or addressing otherwise uncontrolled parking outside of the site are a matter for enforcement and / or the introduction of suitable controls by the Local Authority and An Garda Síochána and it is not feasible to resolve these issues in this appeal and by a decision of the Board.

8.3.7 The implications of permitting of access and egress to Ballyfermot Road are uncertain, however I note that the RTPD report (to reg.ref.3676/15) raised concern about the impact on the operation of the Ballyfermot Road and Drumfinn Road signalised junction only concerning future long term redevelopment of the site, not with regard to the two concurrent proposals.

Whilst it preference was for site access and egress to be via Drumfinn Road and Drumfinn Avenue rather than Ballyfermot Road, it did not advise that access and egress to /from Ballyfermot Road was unacceptable from a traffic safety or traffic operational perspective.

8.3.8 Given the moderate scale of the two proposed developments, I consider it unlikely that the traffic to/from the Ballyfermot Road entrance would have a detrimental impact on the junction, subject to conditions restricting parking, the control of through-traffic and the hours of operation of the funeral services and civil services as recommended in the concurrent appeal.

8.3.9 Accordingly, I would advise that vehicular entrance to Ballyfermot Road be permitted to accommodate access and egress traffic and that the design of the entrance and crossover of the pedestrian pavement accord with the requirements of DMURS, the details of which should be agreed with the planning authority.

8.3.10 **Parking** – 7no. parking spaces are proposed to accommodate the proposed development. The Council’s RTPD has incorrectly calculated the parking requirements. Under the development within those areas defined as in parking Area 2 on Map J, but also within District Centres, 2no. parking spaces are required per consultation room. There are 3no. consultation rooms and therefore a parking demand of a maximum of 6no. spaces. The nurse’s room does not constitute a consultation room and does not generate additional parking demand. The proposed pharmacy use is ‘other retail’ and therefore has a demand of 1no. space within this area based on its floor space. The parking provision is therefore at maximum level. The parking standards under the development plan are maximum standards in accordance with Government transport policy, ‘*Smarter Travel*’ (2009).

8.3.11 I consider it acceptable for the parking spaces to be located within the wider parking area accommodating the proposed developments on both sites. The 7no. parking spaces are identified on the site plan and are directly accessible from the proposed pharmacy and medical centre.

8.3.12 As set out in my assessment to PL29S.246470, excessive parking (almost 4 times the maximum standard) is proposed within the application site under the said concurrent application to accommodate development proposed between the two applications concerned, contrary to the provisions of the development plan and Government transport policy under ‘*Smarter Travel*’ (2009) and contrary to development plan policy. Accordingly, I have proposed amendments to the car parking layout by way of condition to PL29S.246470 in the event that the Board decides to grant permission.

8.3.13 Given the limited scope of the development under consideration in this appeal, should permission be granted a condition should be attached to clarify that not more than 7no. car parking spaces shall be provided as indicated on the submitted site plan to accommodate the proposed development.

8.3.14 **Other issues** – I foresee a difficulty in requiring the development to comply with unspecified conditions of a separate referenced permission as required by condition no.4a of the Planning Authority’s decision. All relevant, necessary conditions should be attached to the decision concerned in order to ensure that such conditions are enforceable, in accordance with the Development Management Guidelines (2007).

8.4.0 Design, form and visual impact

8.4.1 I consider the proposed alterations to the existing building to be generally acceptable. I note the detailed prescriptive requirements for signage attached as condition no.3 to the Planning Authority’s decision and the requirements of condition no.10 regarding roller shuttering. The Board may consider it appropriate to attach similar conditions in the event of decision to grant permission, however I do not consider it necessary to require the applicant to submit additional drawings in this regard.

8.5.0 Appropriate Assessment

8.5.1 Having regard to the scale of the proposed development, comprising principally the change of use of a structure, with relatively minor alterations and extension, and the separation distance between the site and the nearest Natura 2000 sites (South Dublin Bay and River Tolka SPA (site ref.004024) and South Dublin Bay SAC (site ref.00210) are located c.9km to the east and the Glenasmole Valley SAC (site ref.001209) c.10km to the south) no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 **CONCLUSIONS AND RECOMMENDATION**

It is considered that the proposed development should be **GRANTED** for the reasons and considerations hereunder.

REASONS AND CONSIDERATIONS

Having regard to the designated status of the Ballyfermot District Centre as a Key District Centre (KCD 5) and the land use zoning of the site District Centre Z4 'To provide for and improve mixed services facilities' the uses proposed are permitted in principle or are uses that open for consideration that are deemed compatible with the overall policies and objectives for the zone, would not have undesirable effects on permitted uses, it is considered that the proposed development would be in accordance with the provisions of the Dublin City Development Plan 2011-2017 and be consistent with the proper planning and sustainable development of the area subject to compliance with the conditions set out below.

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. Prior to the commencement of development, the developer shall submit, having regard to the detailed requirements of the 'Design Manual for Urban Roads and Streets' (2013) for the written agreement of the planning authority, revised drawings and details:
 - (a) Amending the entrance to Ballyfermot Road to accommodate access and egress traffic movements.
 - (b) Providing for improved pedestrian access to the site from Ballyfermot Road, Drumfinn Road and Drumfinn Avenue.
 - (c) Providing for improved pedestrian permeability and pedestrian priority within the site, including through the provision of a shared-surface route along the eastern side of the proposed development in lieu of the proposed separate vehicular carriageway and pedestrian pavement, the combined width of which shall not be greater than 4.8m.
 - (d) Of the proposed crossover access of the pedestrian pavement and cycle lane between the proposed vehicular entrance and the vehicular

carriageway on Ballyfermot Road and on Drumfinn Road (pedestrian pavement cross over only).

Reason: To provide suitable access and egress arrangements to the proposed development, to prevent the creation of a traffic hazard and to ensure a satisfactory standard of development and in the interest of road traffic safety.

3. (a) A suitable control access barrier shall be provided at a suitable point along the proposed circulation route adjacent the east side of the development and made operable prior to first operation of the proposed uses on site. The details of the suitable control access barrier shall be agreed with the planning authority prior to the commencement of development.

(b) The control access barrier shall be maintained in place between 07.30-09.30 HOURS and between 16.30-18.30 HOURS Monday to Friday, excluding bank holidays, unless otherwise agreed in writing with the Planning Authority.

Reason: To prevent vehicular-through traffic within the site, bypassing the signal controlled junction between Ballyfermot Road and Drumfinn Road in the interest of pedestrian and road traffic safety.

4. (a) No more than 7no. off-street car parking spaces shall be provided for the proposed development, as identified on proposed site layout plan drawing no.15146-PL-02.

(b) No car parking or service vehicle setdown or parking area shall be provided within that area between the front (south) of the building proposed as pharmacy and medical centre, the Ballyfermot Road site boundary and the proposed pedestrian access route.

(c) Prior to the commencement of development the applicant shall submit for the written agreement of the planning authority detailed proposals to prevent unauthorised car or service vehicle parking in the area referred to under point (b) of this condition.

Reason: To limit car parking provision in accordance with Government transport policy 'Smarter Travel' (2009) to encourage a more appropriate modal split in favour of sustainable transport modes, and having regard to with the provisions of the City Development Plan 2011-2017 regarding maximum car parking standards, in the interest of the proper planning and sustainable development of the key district centre.

5. The development shall incorporate the following amendments:
- (a) The proposed shopfronts signage shall have individually mounted lettering which does not exceed 40cm in height.
 - (b) All signage shall be confined to the fascia of the south-facing (front) elevation only.
 - (c) There shall be no additional signage on the north facing elevations or on any other part of the subject site, including the railings.
 - (d) No logo or device exceeding 40cm in height shall be attached or place on the structure subject of this permission.
 - (e) One projecting green cross sign only may be provided to the front (south-facing) elevation to indicate the location of the pharmacy. The green cross sign shall not exceed 40cm in height.
 - (f) Any roller shutter and casing shall be recessed behind the glazing of any shopfront or other fenestration.

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

6. The development shall be carried out in such a manner as to ensure the adjoining streets are kept clear of debris, soil and other material and, should the need arise for cleaning works to be carried out on the public road, the said cleaning works shall be carried out at the developer's expense.

Reason: In the interest of road safety and amenity.

7. Water supply and drainage arrangements, including the provision of separate foul and surface water systems up to a combined final connection discharging to the public combined sewer and the incorporation of Sustainable Drainage Systems in the management of stormwater, shall comply with the requirements of the planning authority for such works and services and shall be subject to the prior written agreement of the Planning Authority.

Reason: In the interest of public health.

8. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

9. During construction and demolition phases the proposed development shall comply with British Standard 5228 “Noise Control on Construction and Open Sites Part 1. Code of practice for basic information and procedures on noise control.”

Reason: In order to ensure a satisfactory standard of development in the interest of residential amenity.

John Desmond
Senior Planning Inspector
21/07/16