



An
Bord
Pleanála

inspector's Report ABP-303011-18

Development	Change of use of Steeple House from office use to use as a Primary Healthcare Centre.
Location	Steeple House, Thornfield Square, Clondalkin, Dublin 22
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD18A/0177
Applicant(s)	UHPC Ltd
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	(1) Gerry O'Neill (2) William Povey (3) Michael Stokes
Date of Site Inspection	29 th January 2019

Inspector

Colin McBride

1.0 Site Location and Description

1.1. The appeal site, which has a stated area of 0.1902 hectares, is located in Clondalkin Town Centre. The site is occupied by a four-storey office block over basement level. The office block is accessed through an existing service road with a junction on Ninth Lock Road to the west. The office is part of complex of buildings including Thornfield Square, which is four-storey apartment block set around a courtyard area. The office block is on the western side of the courtyard with the apartment block along the northern, southern and western side. The basement car park under the office block is shared with the residential development at Thornfield Square with access to such gained from Ninth Lock Road. The surface car parking in Thornfield Square to the east of the office block is accessed from the east (Watery Lane).

2.0 Proposed Development

2.1. Permission is sought for the change of use of Steeple House (currently vacant), Thornfield Square, Clondalkin, Dublin 22, (with access from Ninth Lock Road) from office use to use as a Primary Healthcare Centre. The development will include 10 consultation rooms, 22 offices; 3 clinic rooms; 2 administration/reception; 4 large group rooms and associated ancillary uses. The change of use does not involve any additional floor area. The total existing floor area of the building involved is 1,878sqm. The existing basement car park allocated to Steeple House contain parking for 66 cars, including 2 new enable car parking spaces and 2 new electric charging spaces for the proposed development. 20 new bicycle parking spaces, new plant space and new storage area will be provided in addition. The existing entrance from the Ninth Lock Road providing pedestrian, cycle and vehicular access will remain as built including existing landscaping. The existing plant on the roof is to be replaced and upgraded.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 11 conditions. Of note is the following condition.

Condition no. 4

Access and Parking

Prior to the commencement of works the applicant shall submit the following;

(a) a Construction Traffic Management Plan shall be agreed with the roads department. The agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

(b) a Mobility Management Plan is to be completed within six months of the opening of the proposed development. The Mobility Management Plan should include particular measures to reduce car dependency among staff. The Mobility Management Plan shall be agreed with the roads department and agreed plan, along with the written agreement of the roads department shall be lodged to the planning file. The written commitment of the developer to implement the agreed plan shall also be lodged to the file.

(c) a revised basement plan demonstrating all issues detailed within points (i)-(v) of additional information requested which the planning authority did not receive.

Reason: In the interests of proper roads access and parking.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning Report (): Further information including a car parking schedule, car parking management proposal, bicycle parking schedule, measures to facilitate emergency vehicles, demonstration of permission to access the proposed development from the adjoining roads and drawings showing a surface water layout.

Planning Report (22/10/18): The proposal was considered be compliant with Development Plan land use policy, was considered be satisfactory in the context of traffic safety and access and was considered to be acceptable in the context of adjoining amenity. A grant of permission was recommended based on the conditions outlined above.

3.2.2. Other Technical Reports

Water Services Planning Report (10/05/18): No objection subject to conditions.

Irish Water (18/05/18): No objection.

Roads Department (02/10/18): No objection subject to conditions.

3.3. Third Party Observations

Four submission were received on the application. The issues raised can be summarised as follows...

- Inappropriate location for proposed use, traffic impact, impact on right of way, inadequate car parking/turning facilities, open hours, noise impact, inadequate car parking levels/vehicle charging facilities, adverse impact on adjoining amenity and lack traffic and environment impact statement.

4.0 Planning History

PL06S.237030: Permission refused for a change of use of existing office space to retail/commercial space and 2 no. externally illuminated signs. Refused based on one reason...

1. Having regard to the pattern of development in the area and the lack of access to adequate surface parking to facilitate the proposed retail development, it is considered that the proposed development, which would introduce a retail parking demand into a basement car park which has been designed as, and functions as, a parking area for residents and offices only, would conflict with the protection of residential amenity for existing residents of Thornfield Square. In the absence of appropriate parking and access arrangements, the proposed development would, therefore, seriously injure the amenities of the area and of property in the vicinity and be contrary to the proper planning and sustainable development of the area.

SD03A/0042: Permission granted for amendments and alterations to permitted development S00A/0574 comprising the change use of office block to apartments.

SD03A/0727: Permission granted for 2 security gates to permitted underground car park.

SD02A/0622: Permission granted for single-storey ESB substation.

S01A/0759: Permission granted for change of use from office based industry to offices of existing approved development (S001/0574).

PL06S.122127: Permission granted for mixed development consisting of 90 apartments and 5,747 square metres office based industry in a 3-4 storey development.

5.0 Policy and Context

5.1. Development Plan

The relevant Development Plan is the South Dublin County Development Plan. The site is zoned 'TC' with a stated objective 'to protect, improve and provide for the future development of Town Centre'. Under Development Plan policy the proposed use is indicated as being 'permitted in principle' in the TC zoning.

5.2. Natural Heritage Designations

None in the vicinity

5.3. EIA Screening

Having regard to nature of the development comprising a change of use of an office building to a primary healthcare centre 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.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A third party appeal has been lodged by Gerry O'Neill. Brookfield House, Ninth Local Road, Clondalkin, Dublin 22. The grounds of appeal are as follows...

- The appellant is the owner of Brookfield House and has full legal rights of way along the roadway at Steeple House from Ninth Lock Road. The appellant notes concerns regarding the hardship that may be caused with having to deal with a new tenant of Steeple House and notes that there have been attempts to change the appellant rights of access.
- The change of use is going to interfere with the appellant's property rights in that they will have difficult access their gates due to illegal parking. There is already issues with illegal parking and the proposed use will exacerbate such issues.
- There are existing safety concerns with the existing roadway inadequate in terms of providing for turning movements and for pedestrian facilities.
- The proposal provided inadequate levels of car parking.
- The proposal is inadequate in terms of catering for set down and movements of emergency vehicles such as ambulances.

6.1.2 A third party appeal has been lodged by William PJ Povey, 19 Woodford Downs, Clondalkin, Dublin 22. The grounds of appeal are as follows...

- This is an unsuitable location for the proposed development.

- It is noted that the proposal is in a residential area and there have previous refusal for change of use of the existing building that should be taken into account.
- The proposal to share a basement car parking with residential development is inappropriate. It is noted there is inadequate provision for set down of traffic using the Primary Healthcare Centre.
- There is no area for an ambulance to set down or turn and no access for a fire tender.
- The proposal will increase traffic congestion in a residential area and impact adversely on residential amenity.
- The appeal includes a list of people who agree with the appeal submission (54 signatures).

6.1.3 A third party appeal has been lodged by Michael Stokes, 132 Harold's Cross Road, Dublin 6. The grounds of appeal are as follows...

- A previous application for change of use was refused under PL06S.237030 (change from office to retail) due to inadequate surface car parking and a higher parking demand within the basement design to cater for existing residential development. The proposal would have an adverse impact on residential amenity.
- There should be a properly structured Integrated Area Plan for the development of Clondalkin Village and the structure subject to the change use of use should not be treated as an isolated structure but as part of such a plan.
- There are existing issues of traffic congestion and lack of parking within Clondalkin town centre with the proposal exacerbating such.
- The original
- The proposal entails use of 66 spaces in basement car park that also serves residential development at this location (200 space in total). There is no plan

for segregation of parking associated with the proposed use and the existing residential development. There is a lack of clarity regarding the parking and the system to be used to control such.

- The nature of the proposed use would generate a significant traffic flow at this location with it noted such should be a more accessible locations. Traffic and environmental statement should be required before granting permission.
- It is noted that permission has already been granted for a Primary Healthcare Centre at Boot Road/Fonthill Road corner (SD11A/0135 and this development is supported by the HSE as the most suitable location for such a facility in Clondalkin.
- The proposed development would be traffic hazard with it noted the high level of pedestrian traffic in the area.
- It is noted that the proposal is not in compliance with HSE policy on such centres as it intended to provide all services underneath one roof and not a separate remote extension to an existing or proposed healthcare centre elsewhere.
- Further information request were not answered properly with condition no. 4 noted (requiring revised basement plan).

6.2. Applicant Response

Response from Manahan Planners on behalf of the applicant UHPC Ltd.

- It is noted that two of the appeal are focused on non planning matters including rights of way and antisocial behaviour.
- The applicant refers the Board to their original submission and planning statement which contains the planning arguments in favour of the proposed development.
- The applicant call on the Board to approve the proposed development.

6.3. **Planning Authority Response**

Response from South Dublin County Council

- The Planning Authority confirm their decision and note that the issues raised in the appeal have been covered in the planners report.

6.4. **Further Responses**

Further response from Michael Stokes, 132 Harold's Cross Road, Dublin 6.

- The response relates to the appeal submission by Gerry O'Neill. The response indicates support for Gerry O'Neill's appeal submission noting that the appellant will be inconvenienced by the proposed development with an adverse impact in terms of traffic, access etc.
- The appellant notes the proposal would have an adverse impact on the town centre and is contrary the zoning objective.
- The proposal is contrary HSE policy objectives.
- Parking and access has been an issue with previous proposal on site.
- Concern is expressed regard the potential of lack of any response to condition that require agreement of further details after the decision.
- The location of the proposed primary care centre at this location is inappropriate.

7.0 **Assessment**

- 7.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

Principle of the proposed development

Traffic, access, parking

Visual/Adjoining amenity

Appropriate Assessment

7.2 Principle of the proposed development:

7.2.1 The proposal seeks to change the use of an existing office block in Clondalkin town centre to a primary healthcare facility. The site is zoned 'TC' with a stated objective 'to protect, improve and provide for the future development of Town Centre'. Under Development Plan policy the proposed use is indicated as being 'permitted in principle' in the TC zoning. The proposal is acceptable in the context of the zoning objective of the site. The location of such in the town centre is also acceptable in principle and means it is highly accessible (public transport) as well as being in close proximity to a sizeable amount of residential development (walking distance). The principle of the proposed development at this location is acceptable.

7.2.2 The Planning report associated with the applicant notes that the proposal forms part of the new Primary Care Centre for the HSE, which includes a new approved centre on Boot Road Clondalkin. It is indicated that the Board's decision to granted permission for such under ref no. PL06S.239890 entailed a reduced floor area meaning a second facility is required to deliver the services needed. The appeal submission note that the provision of HSE facility remote of the main Primary Healthcare Centre is contrary HSE policy, which is to provide all services under one roof. I do not consider that this is a planning matter and that the proposal should be assessed on its merits in terms of physical impact, visual amenity, impact on adjoining amenity and traffic impact. These aspects of the proposal are going to be assessed in the later sections of this report.

7.3 Traffic, access and parking:

7.3.1 The development is accessed from Ninth Lock Road and shares the basement car park with the residential development at Thornfield Square. The proposal provides for 66 car parking spaces in the basement car park including two disable access spaces and such is provided in the space already dedicated to the existing office

building. In response to further information revisions were made to the external area just east of office building to provide 2 no. disabled access car parking spaces near the entrance and a turning area meaning a total of 68 spaces are provided. Under Development Plan policy there is requirement for 2 space per consultation room and 1 space per 50sqm of office space (GFA). The proposal provides for 19 consultation rooms and 22 offices (450sqm) giving a requirement of 47 spaces (38 for the consultation rooms and 9 for the office space). The proposal meets the minimum parking standards set down under the County Development Plan.

7.3.2 The main issues raised in the appeal relate to traffic issues and car parking. There are concerns that the additional traffic would exacerbate traffic congestion in Clondalkin. I would note that the location of the proposed use in a town centre is appropriate and that such means it is accessible by public transport, while at the same time being accessible to a sizeable residential population and within walking distance for such. I do not concur with the view the appellants that the proposed use would have an adverse impact on traffic patterns in Clondalkin town centre and would consider that potential traffic issues relate to the specific use of the site and its connection with existing development in the immediate vicinity.

7.3.3 The proposal is to access through a service road that provides access to the office block and the underground car park that serves both the office block and the Thornfield Square residential development. The access road also serves an office building (Department of Social Protection) which fronts onto Ninth Lock and whose car park is accessed from the road serving the office block. One of the appellant notes they have a right of access from this road into Brookfield House, which is to the south of the site. The existing service road into the site appears to be of a reasonable standard to cater for the proposed development and the site is already occupied by a communal development with the building an existing office block. One of the appellants raises concerns that the proposal would impact on their rights of access (to Brookland House). The proposed development does not appear to be changing rights of access for the appellant. Notwithstanding such what agreements

or entitlements that are in place between the appellant and the owner of the site are not a planning consideration.

7.3.4 The main issue regarding traffic relates to whether the site is capable of dealing with the type of traffic generated and the parking demands such as well as the impact of such on the existing residential development in close proximity and interlinked with the development. As noted the existing office block shares an underground car park with Thornfield Square. A portion of the car park is dedicated to the office use and for the proposed change of use this equates to 66 spaces in the basement car parking. The applicant was requested by way of further information to indicate how it is proposed to manage the car parking provision in the context of keeping it separate from the existing residential parking as well as demonstrating that provision could be made for set down and the turning movements of emergency vehicles.

7.3.5 The applicant did not give specific details of car parking management, but did provide details of analysis of trip generation from a TRICs database that analysed parking demand for every hour between 0:00-20:00 with the highest demand hours have a parking demand of 64 space (10:00-12:00). The applicant has indicated that it expects 50 spaces to be occupied by staff. In response to further information the applicant revised the layout of the surface area to the east of the building. The alterations have reduced surface car parking (accessed from Watery Lane) and provided two disable access spaces beside the entrance door as well as a turning area with a swept path analysis to demonstrate such can cater for the turning movements associated with an ambulance.

7.3.6 I would acknowledge that the proposal does provide car parking (68) in excess of the Development Plan requirements and the proposal has been improved in terms of surface parking provision/set down. Notwithstanding such the nature of the use generates a high level of traffic with a high turnover of traffic. I would have serious concerns that the appeal site and proposed development in part due to the lack of a significant level of surface area parking/set down and its interconnection with an existing residential development, which is in very close proximity, is ill equipped to

deal with the level of traffic likely to be generated and would also impact on the amenities of the adjoining residential property. Permission has been previously refused on the appeal site for a change of use of part of the office block to retail use for similar concerns. I would note that the proposed use would be likely to be a more intense generator of traffic than in the previous case. I would therefore consider that the reason for refusal for the previous proposal is still relevant in this case. I would consider that the lack of adequate separation between the structure subject to the change of use and existing residential development at Thornfield Square in that they share a basement car park and access road, and the lack of sufficient dedicated surface parking/set down/turning facilities, would mean the proposal development would be inadequate in terms of dealing with the traffic likely to be generated. This in turn would impact adversely on the residential amenities of the adjoining property due to the fact that they share access and parking arrangements.

7.3.7 I would note that having regard to the pattern of development in the area and the lack of provision of adequate surface parking/set down area/turning area to facilitate the proposed health care use and fact that the structure subject to the change of use shares access arrangements and car parking with the Thornfield Square residential development, it is considered that the proposed development, which would introduce a high level/high turnover traffic demand into a basement car park which has been designed as, and functions as, a parking area for residents and offices only, would conflict with the protection of residential amenity for existing residents of Thornfield Square. In the absence of appropriate and sufficiently independent parking and access arrangements, the proposed development would, therefore, seriously injure the amenities of the area and of property in the vicinity and be contrary to the proper planning and sustainable development of the area.

7.4 Visual/Adjoining Amenity:

7.4.1 The proposal is a change of use of an existing office block and entails no changes to the external elevations with all alterations being internal apart from some change to surface car parking. The proposal would have no adverse impact on the visual amenities of the area.

7.4.2 As noted above I would have concerns regarding the impact of the proposal in terms of traffic generation in the context that the structure subject to the change of use shares a car park and access arrangement with the existing residential development.

7.5 Appropriate Assessment:

7.5.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, 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.

8.0 Recommendation

8.1. I recommend refusal based on the following reason.

9.0 Reasons and Considerations

1. Having regard to the pattern of development in the area and the lack of provision of adequate surface parking/set down area/turning area to facilitate the proposed health care use and fact that the structure subject to the change of use shares access arrangement and car parking with the Thornfield Square residential development, it is considered that the proposed development, which would introduce a high level/high turnover traffic demand into a basement car park which has been designed as, and functions as, a parking area for residents and offices only, would conflict with the protection of residential amenity for existing residents of Thornfield Square. In the absence of appropriate and sufficiently independent parking and access arrangements, the proposed development would, therefore, seriously injure the amenities of the area and of property in the vicinity and be contrary to the proper planning and sustainable development of the area.

Colin McBride
Planning Inspector

20th March 2019