



An
Bord
Pleanála

Board Direction
BD-006324-20
ABP-305675-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 18/03/2020 and following receipt of a response to a Section 132 request and following circulation and further responses from third parties, a further meeting of the Board was held on 25/08/2020.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the Z6 zoning pertaining to the site, including the statement in Section 14.8.6 of the plan that any development proposals on Z6 lands should ensure that the employment element on site should be in excess of that on site prior to the redevelopment in terms of numbers employed and/or office space, the Board considered that subject to conditions set out below, the proposed development would not seriously injure the amenities of the area and would generally improve the public realm, would not be prejudicial to public health and would generally 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 as amended by further information received on the 23rd day of August, 2019, 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 the 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. Details including samples of all materials, colours and textures of all the external finishes to the proposed building shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

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

3. A landscaping scheme for open space along Clanwilliam Place, Lower Mount Street and the sedum roof shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The scheme shall include the following:

- (a) Details of all proposed hard surface finishes including samples of proposed paving slabs, materials for footpaths, kerbing and road surfaces within and surrounding the development.
- (b) The proposed locations of trees and other landscaping planting in the development including details of the proposed species and settings.
- (c) Details of proposed street furniture including bollards, lighting fixtures, seating etc. The boundary treatment and landscaping shall be carried out in accordance with an agreed scheme submitted and agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

4. Details of the proposed landscaping, both hard and soft to be incorporated into the podium area including details of lighting, seating, planting and paviour design shall be agreed in writing with the planning authority prior to the commencement of development.

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

5. The site development works and construction works shall be carried out in such a manner to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for such cleaning works to be carried out on the adjoining public road, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure adjoining roadways are kept clean in a safe condition during the construction works in the interest of orderly development.

6. The developer shall on a periodic basis, details of which are to be agreed with the planning authority, carry out window cleaning on the windows of all external elevations of Block 6 Clanwilliam Court.

Reason: To protect the amenities of residents living in Clanwilliam Court.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

8. No additional development, other than that shown in the drawings shall take place above roof level including the provision of lift motors, air handling equipment, storage tanks, ducts or other external plant other than those shown on the drawings submitted unless authorised by a prior grant of planning permission.

Reason: To safeguard the amenities of surrounding occupiers and the visual amenities of the area.

9. No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site and adjoining lands under the control of the applicant unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

10. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated..

Reason: In the interest of sustainable waste management.

11. A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of

development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

12. The following requirements for the Transportation and Planning Division shall be complied with:

(a) Prior to the commencement of development and on the appointment of a main contractor, a construction management plan shall be submitted to the planning authority for written agreement. This plan shall provide details of the intended construction practice for the development, including traffic routing, parking and management, hour of working, noise management measures and all site disposal of construction and demolition waste.

(b) A car parking management plan shall be prepared for the site and submitted for the written agreement of the planning authority. This shall indicate how many spaces will be associated with the development and will be segregated from spaces serving the wider Clanwilliam Court development and how to use the car parking will be continually managed. Car parking spaces shall be permanently allocated to the development use and shall not be sold, rented or otherwise sublet or leased to other parties.

(c) Cycle parking to development plan standards shall be provided throughout the development. This shall be secure, conveniently located, sheltered and well lit. Shower and changing facilities will also be provided as part of the development.

Reason: In the interests of providing sustainable transport infrastructure.

13. Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed in the development and to reduce and regulate the extent of staff parking. The mobility strategy shall be prepared and implemented by the management company for all units within the office park. Details to be agreed with

the planning authority shall include the provision of centralised facilities within the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.

Reason: In the interest of encouraging the use of sustainable modes of transport.

14. Any alterations to the proposed road network including the provision of set down/loading areas, changes in the surface materials and changes to the road markings shall be agreed in writing with the planning authority prior to the commencement of development. These works shall be carried out to Dublin City Council requirements at the developer's expense.

Reason: In the interest of Road and Traffic Safety

15. Details of any materials proposed in public areas should be in accordance with the document entitled "Construction Standards for Roads and Street Works in Dublin City Council and agreed in detail with the Road Maintenance Division". Any costs incurred by Dublin City Council including any repairs to the public road and services necessary as a result of the development shall be at the expense of the developer.

Reason: To ensure a satisfactory standard of development.

16. The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: To ensure a satisfactory standard of development.

17. Water supply and drainage arrangements including the attenuation of surface water shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of orderly development.

18. The applicant or developer shall enter into a water and/wastewater connection agreement with Irish Water prior to the commencement of development.

Reason: To ensure an appropriate standard of development.

19. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

(a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and

(b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

20. S 48 Unspecified

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board Member

Date: 25/08/2020

Paul Hyde