



An  
Coimisiún  
Pleanála

**Direction**  
**CD-021537-25**  
**ABP-320912-24**

The submissions on this file and the Inspector's report were considered at a meeting held on 10/12/2025.

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

#### **Planning**

**Commissioner:**

*Mary Gurrie*  
Mary Gurrie

**Date:** 18/12/2025

#### **DRAFT WORDING FOR ORDER**

#### **Reasons and Considerations**

The Commission made its decision consistent with the Climate Action and Low Carbon Development Act 2015 (as amended), the Climate Action Plan 2024 and Climate Action Plan 2025, and had regard to the following:

- (a) the relevant provisions of the European Union Directive 2011/92/EU as amended by Directive 2014/52/EU (Environmental Impact Assessment

Directive) on the assessment of the effects of certain public and private projects on the environment,

- (b) the provisions of the European Union Habitats Directive (92/43/EEC)
- (c) the provisions of the European Union Water Framework Directive (2000/60/EC)
- (d) the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on a European Site,
- (e) the documentation and further information submitted as part of the application, including the Environmental Impact Assessment Report and the Natura Impact Statement,
- (f) the policies and objectives of the Dún Laoghaire-Rathdown County Development Plan 2022–2028 and the Dundrum Local Area Plan 2023,
- (g) the nature, scale and design of the proposed development,
- (h) the pattern of existing and permitted development and the availability of adequate social and physical infrastructure in the area,
- (i) the provisions of Housing for All – A New Housing Plan for Ireland issued by the Department of Housing, Local Government and Heritage in September 2021, and Delivering Homes, Building Communities 2025-2030: An Action Plan on Housing Supply and Targeting Homelessness issued by the Department of Housing, Local Government and Heritage in November 2025,
- (j) the provisions of the National Planning Framework First Revision, April 2025,
- (k) the provisions of the Urban Development and Building Heights Guidelines for Planning Authorities, issued by the Department of Housing, Planning and Local Government in December 2018,
- (l) the provisions of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in July 2023,



- (m) the provisions of Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, issued by the Department of Housing, Local Government and Heritage in January 2024,
- (n) the provisions of the Design Manual for Urban Roads and Streets, issued by the Department of Transport, Tourism and Sport and the Department of Housing, Planning and Local Government in 2019,
- (o) the provisions of the Eastern and Midland Regional Assembly Regional Spatial and Economic Strategy 2019-2031,
- (p) the provisions of the Greater Dublin Area Transport Strategy 2022-2042 prepared by the National Transport Authority,
- (q) the Planning System and Flood Risk Management Guidelines for Planning Authorities (including the associated Technical Appendices), issued by the Office of Public Works and Department of Environment, Heritage and Local Government, 2009,
- (r) the Childcare Facilities Guidelines for Planning Authorities, issued by the Government of Ireland, 2001,
- (s) the Architectural Heritage Protection Guidelines for Planning Authorities, issued by the Department of Arts, Heritage and the Gaeltacht, 2011,
- (t) the submissions and observations received, and
- (u) the report of the Planning Inspector.

#### **Appropriate Assessment Stage 1:**

The Commission agreed with and adopted the screening assessment and conclusion carried out in the Inspector's report that the South Dublin Bay Special Area of Conservation (Site Code: 000210), South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), North Dublin Bay Special Area of Conservation (Site Code: 000206), North Bull Island Special Protection Area (Site Code: 004006), and North-west Irish Sea Special Protection Area (Site Code: 004236), are the only European Sites in respect of which the proposed development has the potential to have a significant effect.

**Appropriate Assessment Stage 2:**

The Commission considered the Natura Impact Statement and associated documentation submitted with the application for approval, the mitigation measures contained therein, the submissions and observations on file, and the Inspector's assessment. The Commission completed an appropriate assessment of the implications of the proposed development for the affected European Sites, namely South Dublin Bay Special Area of Conservation (Site Code: 000210), South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), North Dublin Bay Special Area of Conservation (Site Code: 000206), North Bull Island Special Protection Area (Site Code: 004006), and North-west Irish Sea Special Protection Area (Site Code: 004236), in view of the Sites' conservation objectives. The Commission considered that the information before it was adequate to allow the carrying out of an appropriate assessment. In completing the appropriate assessment, the Commission considered, in particular, the following:

- i. the likely direct and indirect impacts arising from the proposed development both individually or in combination with other plans or projects,
- ii. the mitigation measures which are included as part of the current proposal, and,
- iii. the conservation objectives for the European Sites.

In completing the appropriate assessment, the Commission accepted and adopted the appropriate assessment carried out in the Inspector's report in respect of the potential effects of the proposed development on the integrity of the aforementioned European Sites, having regard to the Sites' conservation objectives.

In overall conclusion, the Commission was satisfied that the proposed development, by itself or in combination with other plans or projects, would not adversely affect the integrity of the European Sites, in view of the Sites' conservation objectives.

**Environmental Impact Assessment:**

The Commission completed an environmental impact assessment of the proposed development, taking into account:



- (a) the nature, scale, location, and extent of the proposed development,
- (b) the Environmental Impact Assessment Report and associated documentation submitted with the application, including the further information submitted,
- (c) the submissions received from observers and prescribed bodies, and
- (d) the report of the Planning Inspector.

The Commission considered that the Environmental Impact Assessment Report, supported by the documentation submitted by the applicant, adequately identifies and describes the direct, indirect, and cumulative effects of the proposed development on the environment. The Commission is satisfied that the information contained in the Environmental Impact Assessment Report complies with the provisions of European Union Directive 2014/52/EU amending Directive 2011/92/EU. The Commission completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed as set out in the Environmental Impact Assessment Report, and subject to compliance with the conditions set out below, the effects of the proposed development on the environment, by itself and in combination with other plans and projects in the vicinity, would be acceptable. In doing so, the Commission adopted the report and conclusions of the Inspector.

**Reasoned Conclusion on Significant Effects:**

The Commission considered, and agreed with the Inspectors reasoned conclusions, that the main significant direct and indirect effects of the proposed development on the environment are and would be mitigated as follows:

**Population and Human Health:** Negative construction-related noise disturbance within 50 metres of the nearest Noise Sensitive Locations, which would be acceptable having regard to its moderate to significant extent and the temporary duration of same.

**Cultural Heritage:** Positive built heritage effects as a result of the refurbishment and re-use of the Gate Lodge.

**Landscape:** Neutral to positive townscape/visual effects as a result of improvements to the interface with Dundrum Road and Rosemount Green.

## **Proper Planning and Sustainable Development/Likely Significant Effects on the Environment:**

The Commission considered that the proposed development would provide a high quality residential scheme with ancillary community amenities and infrastructure consistent with national, regional and local policies to promote compact growth and the efficient use of serviced zoned land, and subject to compliance with the conditions set out below, would provide an acceptable quantum and mix of development at this location which would be served by an appropriate level of public transport, social and community infrastructure; would provide an acceptable form of residential amenity for future occupants; would not seriously injure the residential amenities of property in the vicinity or the visual amenities of the area; would be acceptable in terms of built heritage impacts, urban design, height, density and scale of development; would be acceptable in terms of the quantum of car parking spaces, traffic and pedestrian safety; would not be at risk of flooding or increase the risk of flooding to other lands; would not result in any unacceptable ecological or biodiversity impacts; and would be capable of being adequately served by wastewater, surface water, and water supply networks. The Commission concluded therefore that the proposed development would comply with the provisions of the Dún Laoghaire Rathdown County Development Plan 2022-2028 and Dundrum Local Area Plan 2023 and would be in accordance with the proper planning and sustainable development of the area.

## **Conditions**

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 15<sup>th</sup> day of May 2025, except as may otherwise be required in order to comply with the following conditions. Where any conditions of approval require further details to be prepared by or on behalf of the local authority, these details shall be placed on the file and retained as part of the public record.

**Reason:** In the interests of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.



2. The mitigation measures contained in the submitted Environmental Impact Assessment Report (EIAR), shall be implemented.

**Reason:** To protect the environment.

3. The mitigation measures contained in the submitted Natura Impact Statement (NIS), shall be implemented.

**Reason:** To protect the integrity of European Sites.

4. The proposed pedestrian/cycle link to Annville Park shall be provided in accordance with the revised drawings submitted on 15<sup>th</sup> May 2025.

**Reason:** In the interest of clarity and permeability.

5. The proposed development shall be amended as follows:

- (a) The proposed vehicular exit onto Dundrum Road shall be single-lane only in accordance with the plans and particulars (Drawing Number DCD-95-ZZ-XX-DR-BMD-CE-11106 Revision P1) submitted to An Coimisiún Pleanála on the 15<sup>th</sup> day of May 2025.
- (b) Bollards shall be erected at the southern ends of the active travel route and the turning area to the southwest of Block 6, to prevent vehicular access to Rosemount Green.
- (c) The east-facing window in Unit B07-00-05 shall be relocated further south near the corner of the unit to facilitate views to the southeast.
- (d) External storage for bulky items shall be provided at the basement level of Blocks 2 and 3. Any such proposals shall ensure that minimum bicycle storage spaces are maintained for each block in accordance with the Dún Laoghaire-Rathdown County Council Municipal Services Department 'Standards for Cycle Parking and associated Cycling Facilities for New Developments' (January 2018).

Prior to the commencement of development, revised drawings showing compliance with these requirements shall be placed on file and retained as part of the public record.

**Reason:** In the interest of sustainable transport and safety, and to protect the amenities of existing properties and the proposed units.

6. (a) The development shall be carried out on a phased basis in accordance with Section 11.2 Option B of the Masterplan submitted with the application.
- (b) Prior to the commencement of development, details of the phasing plan shall be placed on file and retained as part of the public record.
- (c) Work on any subsequent phases shall not commence until such time as the previous phase is completed to the written satisfaction of the local authority, which shall be placed on file and retained as part of the public record.

**Reason:** To ensure the timely protection and reuse of protected structures and the provision of services, for the benefit of the occupants of the proposed dwellings and surrounding residents.

7. Proposals for an estate and apartment numbering scheme and associated signage shall be agreed in accordance with section 12.3.4.3 of the Dún Laoghaire-Rathdown County Development Plan 2022–2028 and shall be placed on file and retained as part of the public record prior to commencement of development. Thereafter, all estate and street signs, and apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name(s) shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected prior to agreement of the name(s).

**Reason:** In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

8. Public lighting shall be provided in accordance with a scheme which shall be placed on file and retained as part of the public record prior to commencement of development. The scheme shall include lighting along pedestrian routes through open spaces and shall take account of the mitigation measures contained in the Environmental Impact Assessment Report and Natura Impact Statement. Such lighting shall be provided prior to the making available for occupation of any apartment unit.



**Reason:** In the interests of amenity, public safety, and nature conservation.

9. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the local authority to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interests of visual and residential amenity.

10. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths, and kerbs, shall be in accordance with the detailed construction standards and requirements of the local authority for such works, and with the relevant provisions of the Design Manual for Urban Roads and Streets.

**Reason:** In the interests of amenity and of traffic and pedestrian safety.

11. Prior to the opening/occupation of the development, a finalised Mobility Management Plan shall be prepared and shall be placed on file and retained as part of the public record. This shall provide for incentives to encourage the use of public transport, cycling, walking and carpooling by residents, staff and users of the development, including details of the finalised car-share scheme. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

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

12. Prior to the commencement of development, the local authority, or any agent acting on its behalf, shall enter into Connection Agreements with Uisce Éireann to provide for service connections to the public water supply and wastewater collection network.

**Reason:** In the interest of public health and to ensure adequate water/wastewater facilities.

13. 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, shall be prepared and shall be placed on file and retained as part of the public record. 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.

14. Prior to the commencement of development, the local authority or any agent acting on its behalf, shall prepare a Resource Waste Management Plan as set out in the Environmental Protection Agency's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The Resource Waste Management Plan shall include specific proposals as to how the Resource Waste Management Plan will be measured and monitored for effectiveness. These details shall be placed on the file and retained as part of the public record. All records (including for waste and all resources) pursuant to the agreed Resource Waste Management Plan shall be made available for inspection at site offices at all times.

**Reason:** In the interest of sustainable waste management.

15. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be placed on file and retained as part of the public record prior to the commencement of development. This plan shall provide details of intended construction practice for the development with measures to reflect mitigation described in the submitted Environmental Impact Assessment Report and Natura Impact Statement for the application, in addition to the following:
  - (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse,
  - (b) location of areas for construction site offices and staff facilities,
  - (c) details of site security fencing and hoardings,
  - (d) details of on-site car parking facilities for site workers during the course of construction,



- (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site,
- (f) measures to obviate queuing of construction traffic on the adjoining road network,
- (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network and for the cleaning of the same,
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,
- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
- (j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater,
- (k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil,
- (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains,
- (m) a record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept on site for inspection by the local authority, and
- (n) appointment of a Residents' Liaison Officer.

**Reason:** In the interests of residential amenities, public health and safety, and environmental protection.

16. Site development and building works shall be carried out only between the hours of 0700 to 1900 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 local authority.

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

17. (a) 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 local authority unless authorised by a further grant of planning permission.
- (b) The windows to the proposed non-residential units shall not be obscured by adhesive material or otherwise.

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

18. (a) All areas not intended to be taken in charge by the local authority shall be the responsibility of a legally-constituted management company.
- (b) Details of the management company contract, drawings/particulars describing the parts of the development for which the company would have responsibility, and details of the management, operation and opening hours for the non-residential elements shall be placed on file and retained as part of the public record before any of the residential units are made available for occupation.

**Reason:** To provide for the satisfactory future maintenance and management of this development in the interest of residential amenity.

**Notes:**

1. The Commission noted that the applicant had submitted a masterplan for the entire site, as required by Objective CMH1 of the Dundrum Local Area Plan 2023 (LAP), and had included a Consistency Statement outlining how the masterplan would accord with the Guiding Principles and Objectives set out in the Site Development Framework. The Commission noted that the Masterplan proposes the adaptive reuse of the main building as an enterprise centre and this accords with the land use zoning of the site. Furthermore, the consistency statement details that discussions between the Land Development Agency and the local authority on the adaptive reuse of the main hospital building and surrounding historic structures have already taken place and that work is on-going in that respect and that there is an agreement in place between the Local Authority and



the Land Development Agency which confirms that Local Authority's acceptance of the development strategy. The Commission also noted that the protected structures are currently secured and in the ownership and management of the Office of Public Works.

The Commission noted that the nine guiding principles set out in the site development framework largely reflect the specific objectives set out for the Central Mental Hospital lands in the Dundrum LAP. The Commission further noted that while Objective CMH7 requires that 'any masterplan shall address plans for the sustainable long-term use of the 3 No. Protected Structures (Catholic Chapel (RPS No. 2071), Hospital/Asylum (RPS No. 2072), Hospital Building (RPS No. 2073), and shall provide a phasing agreement demonstrating how proposals for their long term use will be brought forward and planning permission sought' it does not require the reuse of the structures at an early phase of the redevelopment of the site as set out in the Guiding Principles in CMH1 which 'require the suitable protection and reuse of the protected structures at an early phase in the redevelopment of the site'.

The Commission also considered that objective CMH1 in its totality can only be properly assessed within the Vision for the site as set out in the LAP. This specifically notes that,

*'The former Central Mental Hospital building and outbuildings are unlikely to be suitable for traditional residential accommodation of a modern standard due to their internal layout, cellular plans, inadequate window sizes and conservation constraints. For this reason, another use may be possible on this site, in particular the main building, e.g. office, hotel, community or educational use. It may be possible to look at the addition of residential typologies to the rear of the main building subject to high quality design and a conservation appraisal of the site in the round.'*

This is logical and appropriate and a practical context from which to view the overall objectives of the LAP.

Noting that the proposed development meets the requirement of Objective CMH7, that the early reuse of the protected structures is not a specific objective in the

County Development Plan, and that the implementation of the proposed development would not preclude any proposals to reuse the protected structures at an early stage from being brought forward, and, having regard to the entirety of the proposed development and masterplan, the Commission considered that the Masterplan submitted accords with the specific objectives of the LAP for the Central Mental Hospital Lands and with the Guiding Principles of the site development framework. To decouple and parse one guiding principle out of nine, would not be consistent with a proper reading of the full LAP and would be inconsistent with the practical implementation of proper planning and sustainable development. In addition, the Consistency Statement provided with the application details a clear understanding and recognition of the need to accord with the overall objectives of the LAP, acknowledges the element of uncertainty as fully expressed in the Vision for the CMH lands set out in the LAP, and nevertheless provides a reasonable approach to achieving the objectives of the LAP, including early protection of the protected structures and early commitment to an active reuse solution.

Notwithstanding the precise wording of one of nine guiding principles, it is concluded that the development is in overall compliance with the totality of CMH 1 and associated supporting text in the LAP and would therefore not constitute a material contravention of the LAP. Moreover, it is considered that it would not be a reasonable interpretation of the LAP nor of the proper planning and sustainable development of the area, that on the facts of the application the overall provisions of the LAP and relevant provisions of the County Development Plan, (noting that an LAP must be subservient to the provisions of the County Development Plan), that high quality, well designed residential development, which has been fully assessed and deemed in accordance with the proper planning and sustainable development of the area, should be delayed solely to reflect one interpretation of a part of objective CMH 1 which in itself is founded on the clearly set out Vision in the LAP and which acknowledges that other uses for the protected structures in the wider site may be possible.

Accordingly, the Commission omitted the Inspector's recommended Condition 5(a) as it is not necessary for the appropriate phasing of the development. In



totality, the Commission was therefore satisfied that there was no material contravention of the County Development Plan or Local Area Plan in relation to the development.

2. The Commission noted the Inspector's recommendation to omit the proposed pedestrian and cycle link to Annville Park, however, having regard to Objective CMH3 in the Dundrum LAP which requires the provision of an access point at this location, to the benefits of such a link to existing and future residents of the area, and to the amendments to the link proposed in the Response to Further Information to improve pedestrian and cyclist safety, the Commission did not agree that the link should be omitted and amended the inspector's recommended Condition 4 accordingly.
  
3. The Commission noted the Inspector's assessment of the car parking spaces provision and that the site was situated across two car parking zones as set out in the County Development Plan. The Commission considered that it was reasonable to consider that the quantum of car parking provision should be in a range between the standard for Zone 2 and Zone 3 but noted that a reduced provision is acceptable in both Zones based on the criteria set out in Section 12.4.5.2(i). The Commission agreed with the Inspector's assessment of the proposed development against the criteria set out in Section 12.4.5.2(i) and agreed that the quantum of car parking proposed at this location was acceptable. In this regard the Commission considered it unnecessary to attach the Inspector's recommended condition 11 in relation to a before and after car parking survey.