

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

South Dublin County

Planning Register Reference Number: SD15A/0053

An Bord Pleanála Reference Number: PL 06S.245383

APPEAL by Anti-Austerity Alliance on behalf of Councillor Mick Murphy, Councillor Kieran Mahon and Paul Murphy T.D. care of South Dublin County Council, Town Centre, Tallaght, Dublin against the decision made on the 30th day of July, 2015 by South Dublin County Council to grant subject to conditions a permission to The Health Service Executive care of Pascall and Watson Architects of 149 Francis Street, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a new two/three storey building and associated site works, to provide a new 100 bed Community Nursing Unit and Day Care Centre including ensuite bedrooms, day rooms, dining rooms, activity and therapy rooms, staff support rooms, central kitchen, a new vehicular and pedestrian site entrance off Tymon North Road, perimeter fencing, car park and associated landscaping works at Tymon North Road, Tymon North, Tallaght, Dublin.

DECISION

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

MATTERS CONSIDERED

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

REASONS AND CONSIDERATIONS

Having regard to the zoning objective for the site, to the specific local objective as set out in the current development plan for the area, to the design, layout and location of the proposed development and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenity of property in the vicinity and would 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 the further plans and particulars submitted on the 3rd day of July, 2015, 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. (a) Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

- (b) The new driveway and additional reconfigured parking area shall be constructed with sustainable drainage systems (SUDs) to the satisfaction of the planning authority. The developer shall ensure that drainage from the new driveway and additional reconfigured parking area shall not enter onto the surrounding road network.

Reason: In the interest of public health and the proper planning and sustainable development of the area.

3. All foul sewage and soiled water shall be discharged to the public foul sewer. Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.

Reason: In the interest of public health.

4. The proposed new vehicular entry and exit arrangement shall be constructed to the requirements of the planning authority. Details in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of amenity and of traffic safety.

5. 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 noise management measures and off-site disposal of construction/demolition waste.

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

6. Site development and building works shall be carried out only between the hours of 08.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

7. Details of the materials, colours and textures of all external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All roofing shall be dark-grey or blue-black in colour.

Reason: In the interests of visual amenity.

8. The internal road network serving the proposed development, including turning bays, junctions, parking areas, footpaths and kerbs and car parking, shall be in accordance with the detailed standards of the planning authority for such works.

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

9. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, including a timetable for implementation, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All planting shall be protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

10. 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 developer to facilitate the provision of broadband infrastructure within the proposed development. All existing overhead cables that bound or cross the site shall be undergrounded as part of the site development works, at the developer's expense.

Reason: In the interests of visual and residential amenity.

11. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the making available for occupation of any house.

Reason: In the interests of amenity and public safety.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.