

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 3651/15

An Bord Pleanála Reference Number: PL 29N.245861

APPEAL by Spencer Dock Management Limited care of Waterman Moylan Engineering Consultants of Marine House, Clanwilliam Place, Dublin and by RGRE Grafton Limited of Fifth Floor, Treasury Building, Lower Grand Canal Street, Dublin against the decision made on the 12th day of November, 2015 by Dublin City Council to grant subject to conditions a permission to National Transport Authority care of Liam Boyce of Iarnród Éireann, Structures and Architects Department, Track and Signals Headquarters, Inchicore Works, Inchicore, Dublin in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Development comprising a temporary accommodation and parking facility for up to 50 private coaches in delineated bus bays on existing concrete hardstand within a site of 1.5 hectares. The development will include repairs and minor expansion to the surface of the existing concrete hardstand and provision of single storey portacabin building for security and welfare facility (72 square meters), together with ancillary lighting, fencing, CCTV, vehicle management controls and signage, bus bay line markings, installation of drainage control infrastructure. The facility will only permit access to empty private coaches. The development will operate principally during daytime periods (0700 to 1900, Monday to Friday) to accommodate commuter and tourist coaches. The development will also occasionally operate during weekends and evening/night time periods for special events (sports, concerts, etc). It is intended to utilise the former North Wall Freight Depot as a Coaching Parking Facility on a temporary basis until the lands are necessary for the construction of DART Underground, for which a Railway Order has been approved. This application is also subject to a concurrent and inter-related planning application for an entrance and access road from Park lane to the coach parking facility, which is on lands within the

Grand Canal and North Lotts Strategic Development zone, all at the former North Wall Freight Depot, Sherriff Street Upper, 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 established use of the site for transport-related purposes, and to the planning history of the lands, and having regard to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, including a temporal limitation, the proposed development would not adversely affect the residential or visual amenities of the area, would not lead to the depreciation of property values and would be acceptable in terms of traffic and pedestrian safety. 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, 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. This planning permission is granted for a temporary period of five years from the date of final Order. After this time, the use hereby approved shall cease and all development associated with this permission shall be removed from the site and the site returned to its former state, unless a further planning permission has been granted before the expiry of that date.

REASON: In order to review the effect of the development on the area, in the light of the circumstances then obtaining, including any progress towards the development of the DART underground project.

3. No coaches shall enter or exit the proposed facility between the hours of midnight and 07.00.

When the site is used for the parking of coaches associated with night-time special events, no embarkation or disembarkation by coach passengers for such events shall take place within the site, nor along the access road between the site and Park Lane.

Reason: In order to protect the residential amenities of neighbouring properties.

4. The parking of coaches shall be solely limited to the delineated parking bays shown on the submitted drawings.

REASON: In the interests of orderly development.

5. 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.

REASON: In the interest of public health and to ensure a proper standard of development.

6. Site development and building works shall be carried out only between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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 amenities of property in the vicinity.

7. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, these cleaning works shall be carried out at the developer's expense.

REASON: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

8. The developer shall comply with all requirements of the planning authority in relation to roads, access and parking issues.

REASON: In the interest of proper planning and sustainable development.

9. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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.

10. The developer shall pay to the planning authority a financial contribution in respect of the Luas Line C1 Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

REASON: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

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

Dated this day of 2016.