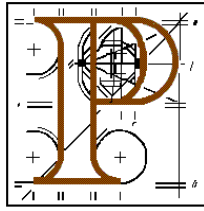


# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

**Dún Laoghaire-Rathdown County**

**Planning Register Reference Number: D16A/0418**

An Bord Pleanála Reference Number: PL 06D.247702

**APPEAL** by Musgrave Operating Partners Ireland care of Tom Philips and Associates of 80 Harcourt Street, Dublin against the decision made on the 11<sup>th</sup> day of November, 2016 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Friends First Life Assurance Company Limited care of Cunnane Stratton Reynolds of Copley Hall, Cotters Street, Cork in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Development consisting of the demolition of the existing Enterprise House located in Blackrock Shopping Centre, George's Avenue, Rock Hill and the Frascati Road (N31), Blackrock, County Dublin including the removal of existing landscaping and boundary treatments within their demise to the Frascati Road and George's Avenue, demolition of lower ground parking level and provision of a new lower parking level floor slab to provide for construction of five-storey office building over ground of 8,119.50 square metres gross floor area (GFA) providing for general offices and/or science and technology uses and/or office based industry uses and ancillary spaces; 179 number car parking spaces; 48 number cycle parking spaces at Enterprise House; balcony areas of 190.3 square metres; modifications to existing car parking layout externally (adjacent to existing entrance from Rock Hill) to provide revised car park layout and access provisions; new substation; closure/removal of existing pedestrian and vehicular egress to George's Avenue and provision of a new pedestrian and vehicular egress to George's Avenue to the north; revision of existing vehicular entrance from Rock Hill to provide for an in/out vehicle movements; provision of a new pedestrian entrance from Rock Hill; provision of a disabled access ramp to the lower ground level from Frascati Road; provision of a stairs access to Frascati

Road; ancillary landscaping including 16 number public cycle parking spaces and provision of a space to accommodate a bus shelter area adjacent to the Frascati Road (N31) all on a site of 0.51 hectares. The proposed office space will be designed to be suitable for a single user or multiple users with subdivisions.

## **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 office use of the site, the zoning objective for the area, the planning history of the site and the nature and scale of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area 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 17<sup>th</sup> day of October, 2016, 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. Details including samples of the materials, colours and textures of all the external finishes to the proposed buildings and surfaces 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. Notwithstanding the provisions of the Planning and Developments Regulations 2001, or any statutory provision amending or replacing them, no advertisement signs (including any signs installed to be visible through the windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the buildings or within the curtilage of the site, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

4. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

**Reason:** To protect the residential amenities of property in the vicinity and the visual amenities of the area.

5. Water supply and drainage arrangements, including the disposal of surface and soiled water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

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

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

7. Prior to 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 of the company for the development. 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.

8. 90 number bicycle parking spaces shall be provided within the site. The layout, demarcation of these spaces and the proposed bicycle stand design shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

9. 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:
- (a) location of the site and materials compound including the area 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) measures to obviate queueing of construction traffic on the adjoining road network,
  - (f) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
  - (g) 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,
  - (h) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
  - (i) 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,
  - (j) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, and
  - (k) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interest of amenities, public health and safety.

10. (a) Prior to the commencement of development, the developer shall submit revised tree planting proposals for the western boundary of the site for the written agreement of the planning authority.
- (b) The site shall be landscaped in accordance with plans submitted to the planning authority on the 17<sup>th</sup> day of October, 2016. Landscaping shall be carried out within the first planting season following substantial completion of external construction works.
- (c) The developer shall retain the services of a suitably qualified Landscape Architect (or suitably qualified Landscape Designer) throughout the life of the site development works. A Practical Completion Certificate is to be signed off by the Landscape Architect when all landscape works are completed to the satisfaction of the planning authority in consultation with the Parks and Landscape Services Department and in accordance with the permitted landscape proposals.

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

