

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Dublin City

Planning Register Reference Number: 3123/16

An Bord Pleanála Reference Number: PL 29N.247797

APPEAL by Peter Loughlin and Stella Treacy of 42 Beneavin Road, Glasnevin, Dublin against the decision made on the 6th day of December, 2016 by Dublin City Council to grant subject to conditions a permission to Beneavin Contractors Limited care of G.I. Martin Architects of 50 Tullyard Road, Lisburn, Northern Ireland in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: The proposal consists of the enlargement of the existing elderly nursing care facility known as Beneavin Lodge by the addition of three storeys of specialist care residential accommodation to the east of the site. As part of the enlargement it is proposed to make very minor alterations to the existing Dementia Wing (planning register reference number 3454/15). The proposed new unit will be located to the south of the existing Dementia Wing currently under construction and is designed to fully comply with the latest Nursing Home Care Standards as set out under Health Information and Quality Authority accommodation guidelines and the requirements of the Disability Access Legislation. The accommodation will comprise the following elements at ground floor level, with access from the existing building entrance to the east of the site, will be the Rehabilitation unit with large bedroom/lounge/en-suite provision, Hydrotherapy and Physiotherapy departments; at first floor level, it is proposed to provide short term convalescent and respite care with en-suite bedroom accommodation, day space and a small cinema; at second floor level, provision will be made for End of Life Palliative Care Suites, with relatives rooms and support accommodation throughout all floors. It is also proposed to add a two storey extension of offices on ground floor and sun lounge to first floor in the courtyard at the existing Beneavin Lodge entrance. It is proposed that the three storey extension would have a mix of brick, render and proprietary

cladding wall finishes and concrete roof tiles to match existing in colour and texture. Car parking and cycle provision will comply with Dublin City Council (DCC) standards including spaces for disabled use and will be located to the south of the site at the end of the existing site access road to the east of the site. It is proposed to provide a high quality comprehensive landscape scheme to include for provision of tree and shrub screen planting along the eastern boundary coupled with a new rendered block wall over part of this boundary where there is currently no wall, and to include for amenity area and covered walkway from the parking to the south of the site. Storm and foul drainage will be provided to comply with current Dublin City Council standards, all at Beneavin Lodge, Beneavin Road, Glasnevin, 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 provisions of the Dublin City Development Plan 2016-2022, to the scale and nature of the proposed development, and to the Z15 – Institutional and Community land use zoning objective applicable to the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the provisions of the development plan, would not adversely affect the amenities of the area, would integrate in a satisfactory manner with existing development in the area, would provide an acceptable standard of amenity for future residents and would be acceptable in terms of traffic safety and convenience of road users. 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 9th day of November, 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. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:
 - (a) A plan to scale of not less than 1:500 showing –
 - (i) existing trees, hedgerows specifying which are proposed for retention as features of the site landscaping;
 - (ii) the measures to be put in place for the protection of these landscape features during the construction period;
 - (iii) the species, variety, number, size and locations of all proposed trees and shrubs;
 - (iv) details of screen planting which shall not include cupressocyparis leylandii, and
 - (vi) hard landscaping works, specifying surfacing materials, furniture and finished levels.
 - (b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment.
 - (c) A timescale for implementation.

All planting shall be adequately 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.

3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

4. 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.

5. Site development and building works shall be carried out only between the hours of 0800 to 1800 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 planning authority.

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

6. Prior to commencement of development, the developer shall submit, and obtain the written agreement of the planning authority to, a plan containing details for the management of waste within the development, including the provision of facilities for the storage, separation and collection of the waste and for the ongoing operation of these facilities.

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

7. The trees identified for retention in the Arboricultural Assessment shall be protected during construction in accordance with the tree protection measures outlined in the submitted plans and particulars. All service pipes shall be so routed as to avoid the root spreads of the trees identified for retention.

Reason: In the interests of orderly development, and to prevent damage to those trees identified to be retained, having regard to the policies set out in the current Development Plan for the area.

8. All boundary treatments shall be in accordance with those indicated in submitted documentation.

Reason: In the interests of residential and visual amenity, and to ensure the provision by the developer of durable boundary treatment.

9. 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.

10. 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 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.

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

Dated this day of 2017.