



An
Bord
Pleanála

Board Order
PL 06D.248220

Planning and Development Acts 2000 to 2017

Planning Authority: Dun Laoghaire-Rathdown County Council.

Planning Register Reference Number: D16A/0987.

Appeal by Leo Mangan on behalf of Greenfield Residents' Group care of 32 Greenfield Park, Donnybrook, Dublin and by Michael G. O'Connor of Ballindown, 30 Greenfield Park, Donnybrook, Dublin against the decision made on the 24th day of February, 2017 by Dun Laoghaire-Rathdown County Council to grant subject to conditions a permission to Purleigh Holdings Limited care of Hughes Planning and Development Consultants of The Mash House, Distillery Road, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Construction of part of a five-storey over basement, residential apartment building. Part of the proposed apartment building lies within the Dublin City Council administrative area, on land which is subject to a concurrent planning application to Dublin City Council. The part of the development site which lies within the administrative area of Dun Laoghaire-Rathdown County Council and to which this current application relates, comprises part of Block 1, specifically part of 10 number three-bedroom apartments over ground, first, second, third and fourth floor levels, with associated balconies/terraces for each apartment; part of 12 number car parking spaces and energy centre/water tank room at basement level; landscaping, boundary treatment, SuDS drainage and all ancillary works necessary to facilitate the development. Access to the development will be via an existing

entrance and roadway from Greenfield Park. Widening of the entrance and roadway has been approved under Dun Laoghaire-Rathdown County Council Register Reference D15A/0860, An Bord Pleanála Reference PL 06D.246607. The overall development, the majority of which is located within the administrative area of Dublin City Council, for which a concurrent application has been made, comprises, inter alia, the construction of five number five-storey, over basement, residential apartment buildings, accommodating a total of 90 number residential apartments, 90 number basement level car parking spaces, 37 number surface level visitor car parking spaces, 130 number bicycle spaces, security/concierge office, communal amenity space, internal access roads, landscaping, boundary treatments, SuDS drainage and all ancillary site development works, all at Greenfield, Lands off Greenfield Park, Donnybrook, 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 “Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in May 2009, the “Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities”, issued by the Department of the Environment, Community and Local Government in December 2015, the Dun Laoghaire-Rathdown Development Plan 2016 – 2022, the planning history of the site, and the nature and scale of the proposed development within its context, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual and residential amenities of the area. The proposed development would be in accordance with relevant density, height, and residential development standards, as set out in the Development Plan. Traffic generated by the site would be capable of being accommodated on the local road network. Proposed drainage arrangements would be satisfactory and they would mitigate any risk of pluvial flooding. The proposed development would, therefore, 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, 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 of the materials, colours and textures of all the external finishes to the proposed apartment blocks shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the attenuation and 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.

4. 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 interest of amenity and public safety.

5. 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.

Reason: In the interest of visual and residential amenity.

6. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan of the area.

7. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Monday to Friday inclusive, between the hours of 0800 and 1400 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.

8. 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 compounds including areas 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 spillage or deposit of clay, rubble or other debris on the public road network;
 - (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.

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.

9. 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) the species, variety, number size and locations of all proposed trees and shrubs,
 - (ii) details of screen planting,
 - (iii) details of roadside/street planting, and
 - (iv) 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.

