



An
Bord
Pleanála

Board Order
PL 06D.248339

Planning and Development Acts 2000 to 2016

Planning Authority: Dun Laoghaire-Rathdown County Council.

Planning Register Reference Number: D16A/0383.

Appeal by Power City Limited care of Integrated Development Services Limited of D5 Swords Enterprise Park, Feltrim Road, Swords County Dublin against the decision made on the 22nd day of March, 2017 by Dun Laoghaire-Rathdown County Council to refuse permission in accordance with plans and particulars lodged with the said Council:

Proposed Development Demolition of circa 453 square metres of existing storage area at south-east corner, demolition of internal two-storey toilet and office accommodation (circa 243 square metres), demolition of south wall of former coal yard facing the existing Power City premises, removal of front lobby in existing sales area, construction of new single storey (circa seven metres high) sales area (circa 1,054 square metres) at south-east corner facing Sallynoggin Road, new toilet accommodation within warehouse area, former coal yard to become a service yard with new loading door to north wall, reconfiguration of car parking, provision of WEEE enclosure (17 square metres), landscaping, boundary treatment, signage and all associated site development works, all at Power City retail warehouse premises at Sallynoggin Road to the south with frontage to O'Rourke Park at the west and Rollins Villas to the north, Sallynoggin, County 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 existing use of the site and the pattern of development in the area, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential amenity of the area, would be acceptable in terms of traffic safety and convenience, would provide a satisfactory approach to surface water drainage commensurate with the scale of the development and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that, given the relatively small increase in roof area proposed, the additional attenuation measures proposed, as amended in the further information submitted to the planning authority on the 10th day of January, 2017, would be effective and would be commensurate with the scale of the proposed development. It is considered that the overall net impact of the proposal would be an improvement in surface water management on the site.

Conditions

1. The proposed 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 10th day of January, 2017 and the 27th day of February, 2017, 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 colours and textures of all the external finishes to the proposed development, inclusive of samples, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. The landscaping scheme shown on the drawings titled "Landscape Details", "Planting plan and Surface Treatment" and "Landscape Masterplan", as submitted to the planning authority on the 10th day of January, 2017 shall be carried out within the first planting season following substantial completion of external construction works.

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.

4. Details of the hours of illumination of the site lighting and signage shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of residential amenity

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.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 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.

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006. [

Reason: In the interest of sustainable waste management.

