



An
Bord
Pleanála

Board Order
PL 29S.248946

Planning and Development Acts 2000 to 2017

Planning Authority: Dublin City Council

Planning Register Reference Number: 2874/17

Appeal by Brian and Elizabeth McDermott of 42 Nutley Road, Donnybrook, Dublin and by Peter and Paula Ledbetter of 44 Nutley Road, Donnybrook, Dublin against the decision made on the 3rd day of July, 2017 by Dublin City Council to grant subject to conditions a permission to Raidió Teilifís Éireann (RTÉ) care of John Spain Associates of 39 Fitzwilliam Place, Dublin in accordance with plans and particulars lodged with the said Council:

Proposed Development: Development comprising the following: relocation of Fair City Lott filming set to a site in the north eastern area of the RTE Campus adjoining the boundary with properties on Nutley Road. This area is currently in use as a car parking area and a waste compacting area. The Fair City set will comprise of a total of 11 number sets varying in height from 6.1 metres to 8.46 metres and will include internal roads and footpaths; provision of new internal service road to the north west of the existing administration building; relocation of waste compacting and recycling area to the north eastern elevation and southern elevation of the existing workshop building; new 2.5 metres high blockwork screening wall along eastern boundary of the amenity space to the south east of the Workshop Building; provision of new 2.5 metres timber clad fence along the north eastern boundary of the Fair City set and 1.8 metres paladin fence along the remaining boundaries to enclose the Fair City Lott filming set and provision of landscaped screen along the north eastern boundary of the Fair City Lott. The application will also include all associated infrastructure and

ancillary works including drainage, hard and soft landscaping to facilitate the development, all on 0.41 hectare site at the RTE Campus, Stillorgan Road and Nutley Lane, Dublin (protected structure). The application site is located within the RTE Campus which includes two number protected structures Montrose House (RPS Number 7847) and Mount Errol House (RPS Reference 7846), with access off Nutley Lane.

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

It is considered that the proposed relocation of a filming set lott to the site in question, located within the existing RTE campus, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, would generally be acceptable in terms of traffic safety and convenience and would not seriously impact on natural heritage. 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 drawings received by An Bord Pleanála on the 29th day of August 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions required details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to the 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 use of the production set shall be confined to normal working hours between the hours of 0800 and 1800 Monday to Friday and 0800 to 1300 hours on Saturdays.

Reason: In order to protect residential amenity.

3. The use of the set for two nights a week shall be permitted up to 10 p.m. The use of the set for two nights a week shall cease after a period of three years from the date of this Order so that a full assessment can be made of the impact on residential amenity, unless prior to the end of this period, planning permission has been granted for the use of the film set until 10 p.m. for a further period.

Reason: To allow a full assessment be made of the impact on adjoining residential amenity.

4. The entire production set shall be removed from site within five years of the grant of planning permission unless before that time a further permission is granted from the planning authority or An Bord Pleanála on appeal.

Reason: To enable the planning authority to monitor this temporary development and its impact on the amenities of the area.

5. 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.

6. A landscaping scheme shown on the drawings submitted to the planning authority on the 9th day of May, 2017 shall be carried out within six months of the date of the development. All planting shall be adequately protected from damage until established. Any plants which die or removed or become seriously damaged or diseased within a period of five years from the completion of the development shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing with the planning authority. Details of a landscape preparation and maintenance plan shall be submitted to the planning authority for written agreement within three months of the date of this Order.

Reason: In the interest of visual amenity.

7. The site and building works required to implement the development shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and Bank 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 properties in the vicinity.

8. 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. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interests of sustainable waste management.

9. All costs incurred by the planning authority including any repairs to the public road and services as a result of the development shall be at the expense of the developer. The developer shall be required to comply with the requirements set out in the Roads and Traffic Planning Division Code of Practice.

Reason: In the interest of traffic safety.

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

Dated this day of 2018