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**Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3990/17**

**Appeal** by Philip O'Reilly of 18 Grosvenor Place, Rathmines, Dublin against the decision made on the 29<sup>th</sup> day of November, 2017 by Dublin City Council to grant subject to conditions a permission to The Congregation of the Holy Spirit care of RW Nowlan and Associates of 37 Lower Baggot Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Resurfacing of an existing grass pitch to provide a new 4G all-weather pitch and flood lighting and the provision of associated fencing around the pitch with protective cladding. The flood lights will comprise of six number 12 metre height stanchions 100 LUX. The development will also include drainage works, landscaping, the diversion of services, lighting and all associated works above and below ground at Saint Mary's College (Protected Structure), Rathmines Road Lower, 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, and to the nature, scale and extent of the proposed development, the Board considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the character or setting of adjoining protected structures or the visual or residential amenities of the area. 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 concurred with the planning authority's decision and considered that the proposed development would not materially affect the integrity, context, setting or the architectural character of the protected structures within the residential conservation area and would 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, 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 following requirements of the planning authority shall be complied with.
  - (a) The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads).
  - (b) The development shall be drained on a completely separate system with separate connections to the public foul and surface water systems.
  - (c) The development shall incorporate Sustainable Drainage Systems in the management of stormwater.
  - (d) The outfall manholes from this development shall be constructed in accordance with the Code of Practice for Development Works – Drainage.

- (e) All surface water discharge from this development shall be attenuated to two litres per second per hectare.
- (f) All private drain fittings such as, downpipes, gullies, manholes and Armstrong Junctions shall be located within the final site boundary. Private drains shall not pass through property they do not serve.

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

- 3. Site development and building works shall be carried out only between the hours of 0700 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 residential amenities of property in the vicinity.

- 4. Lux levels shall be in accordance with those set out in the lighting report submitted at application stage and shall not exceed these levels to avoid overspill.

**Reason:** In the interest of residential amenity.

- 5. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 " Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control."

**Reason:** In order to ensure a satisfactory standard of development and in the interest of residential amenity.

6. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers' expense.

**Reason:** To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

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**Paul Hyde**

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

**Dated this            day of            2018.**