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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D19A/0741**

**Appeal** by Grant Moran care of J.P Behan Associates of The Chase Building, Carmenhall Road, Sandyford, Dublin against the decision made on the 28<sup>th</sup> day of November, 2019 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Grosvenor Services Limited care of O’Keeffe Architects of Suite One, The Avenue, Beacon Court, Bracken Road, Sandyford, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Retention of the porch and ramp to the front elevation and the retention of the first floor exit door, fire escape stairs and the air conditioning invertor units at the rear elevation at Unit 64C, Heather Road, Sandyford Industrial Estate, Dublin 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 zoning objective of the site to facilitate low density warehousing/light industrial warehousing uses as set out in the Dún Laoghaire-Rathdown County Development Plan 2016-2022, to the orientation of the air conditioning elements facing onto an adjoining building and, to the east, a boundary hedge and landscaped area adjoining public road, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the development for which retention is sought would be acceptable in terms of pedestrian safety, visual amenity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be retained in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following condition.

**Reason:** In the interest of clarity.

2. (a) During the operation of the development, the noise level arising from the air conditioning units for which retention is sought, as measured at the nearest noise sensitive location or at any point along the boundary of the site shall not exceed:-
- (i) An Leq,1h value of 55 dB(A) during the period 0800 to 2200 hours from Monday to Saturday inclusive.
  - (ii) An Leq,15 min value of 45 dB(A) at any other time. The noise at such time shall not contain a tonal component.

At no time shall the noise generated on site result in an increase in noise level of more than 10 dB(A) above background levels at the boundary of the site.

- (b) All sound measurement shall be carried out in accordance with ISO Recommendation 1996:2007: Acoustics -Description and Measurement of Environmental Noise.

**Reason:** To protect the amenities of property in the vicinity of the site.

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

**Dated this                      day of                      2020.**